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THE

PARLIAMENTARY DEBATES,

New Series,

VOL. I.

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*** *All Communications for this Work, if forwarded to Mr.* Wright, *No. 5, Panton-Square, or to Mr. T. C.* Hansard, *Peterborough Court, Fleet-street, will be carefully attended to; but as an early publication of the proceedings of each Session is extremely desirable, it is respectfully requested that such Communications may be forwarded with as little delay as possible.*

Of the same Proprietors may be had, in Thirty-six Volumes,

THE

PARLIAMENTARY HISTORY

OF ENGLAND,

FROM THE EARLIEST PERIOD

TO THE YEAR 1803.

THE

PARLIAMENTARY DEBATES:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND
FROM THE EARLIEST PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

New Series;

COMMENCING WITH THE ACCESSION OF GEORGE IV.

VOL. I.

COMPRISING THE PERIOD
FROM
THE TWENTY-FIRST DAY OF APRIL
TO
THE TWENTY-SIXTH DAY OF JUNE, 1820.

LONDON:

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1820.

ADVERTISEMENT

TO THE

NEW SERIES

OF THE

PARLIAMENTARY DEBATES.

THE present Volume is, in fact, the *forty-second* of THE PARLIAMENTARY DEBATES; but as it commences with the Proceedings of the First Parliament of his present majesty George the Fourth, the Proprietors have thought that they could not better meet the wishes of their regular Subscribers, nor consult the convenience of those gentlemen who now, at this epoch, may be desirous of becoming Subscribers, than by commencing a NEW SERIES.

In presenting the First Volume of this New Series of The Parliamentary Debates to the public, the Editor avails himself of the opportunity it affords him, of returning his acknowledgments for the liberal support which he has received. The declared object of the First Series of this Work, at its outset in the year 1803 was, to give the Proceedings of both Houses at greater length, and with much greater precision, than it was ever before attempted to give them. To accomplish this object, neither labour nor expense has been spared. Aid of every useful kind has been resorted to, and, in most instances, with complete success. The Editor has felt that to his Work after times would refer, for the Public Character and Conduct of the Members of both Houses who took a share in the important measures therein recorded. He has, therefore, not considered himself at liberty to garble or abridge their Speeches, at his own discretion, and according to his own views of the importance of the matter before him. To his unremitted endeavours to procure from members of both sides of the House, the fullest and most correct reports of what has taken place on every important Debate, those Members will readily bear testimony: And so strictly impartial has he been, that in no single page of the Forty-One Volumes, of which the First Series consists, and all of which have passed through his hands, can, he ventures to assert, an instance of unfair preference or prejudice be pointed out.

In addition to the Debates of both Houses, the Work contains an invaluable Collection of Parliamentary Papers, consisting of many hundred Reports, Estimates, Returns, Treaties, Conventions, Lists of Divisions, &c. &c.; and a regular Series, for the last Seventeen years, of Accounts relative to the Finances, and to the Trade, Navigation, &c. of the United Kingdom. These Documents are exact copies of those laid before Parliament. They are to be met with in no other publication, and will be found eminently useful and convenient to the Reader; to whom, indeed, if his attention be at all turned to subjects of Political Economy, they will be indispensably necessary. Each Volume contains a copious Table of Contents, together with separate Indexes, not only of the Debates in both Houses, but of the names of the several Members who took a part therein. It is hardly necessary to add, that this Second Series of a Work which has found its way into most of the Public Libraries, not merely of this country, but of Europe, will be continued with that activity and perseverance which a reception so favourable is calculated to produce.

"The PARLIAMENTARY HISTORY OF ENGLAND, FROM THE EARLIEST PERIOD TO THE YEAR 1803," when the First Series of the above Work commenced, is completed in Thirty-Six Volumes. The Public are therefore now in possession of the only uniform Parliamentary History of the Country that was ever attempted. The plan of the Work will be seen in the following Extract from the Preface to the First Volume:

"Whoever has had frequent occasion to recur to the Proceedings in Parliament of former times, must have experienced those difficulties which it is the object of the present Work to remove. Merely to find the several works wherein is contained an account of the Parliamentary Proceedings, is, at this day, no easy matter; some of them being very scarce, and others excessively voluminous. Hardly any of them, those of the last twenty years excepted, are to be purchased regularly at the Booksellers. The far greater part of them are to be come at by accident only; and, of course, sometimes not to be obtained at all. But, supposing them all to be at hand, the price of them is no trifling object; and, in many cases, must present a difficulty not to be easily, or, at least, willingly surmounted. Of these works, taken in their chronological order, the first is, "The Parliamentary or Constitutional History," in Twenty-four Volumes; the second, sir Simonds D'Ewes's "Journal of Queen Elizabeth's Parliaments;" the third, "Proceedings and Debates of the House of Commons in 1620 and 1621, collected by a member of that House, and published from his Original Manuscript in the Library of Queen's College, Oxford," in Two Volumes; the fourth, "Chandler's and Timberland's Debates," in Twenty-two Volumes; the fifth, "Debates of the House of Commons, from 1667 to 1694, collected by the Honourable Anchitell Grey, Esq., who was thirty years member for the town of Derby," in ten Volumes; the sixth, "Almon's Debates, from 1743 to 1780," in Twenty-four Volumes; and the seventh, "Debrett's Debates, from 1780 to 1802," in Sixty-three Volumes. But still, with all these, the information wanted is very imperfect, without perpetually having recourse to the Journals of the two Houses, which Journals occupy upwards of a hundred volumes in folio: so that the price of a complete set of the works, in this way, cannot, upon an average of purchases, be reckoned at less than One Hundred and Fifty Pounds.

"These difficulties surmounted, another, and a still more formidable obstruction to the acquiring of information, is found, not merely in the number and the bulk of the volumes, but also in the want of a good arrangement of the Contents of most of them; and, further, in the immense load of useless matter, quite unauthentic, and very little connected with the real Proceedings of Parliament, to be found in many of them: in the first mentioned work, we find a narrative of battles, sieges, and of domestic occurrences: the real Proceedings of Parliament form but a comparatively small proportion of it; whole pamphlets of the day, and very long ones, being, in many places, inserted just as they were published and sold; and, when we come down even to the Debates by Almon and Debrett (taking in Woodfall and others occasionally), we find, that, in numerous instances, three-fourths of the volume consists of Papers laid before Parliament, of mere momentary utility, repeated in subsequent and more correct statements, and now a mere incumbrance to the reader, and a constantly intervening obstacle to his researches; to which may be added, with respect to all the Debates from Almon's inclusive, downwards, that there is a total want of all that aid which is afforded by well-contrived Running Titles, Tables, and Indexes, and which is so necessary in every voluminous work, particularly if it relate to the transactions of a long series of years.

"In a Work of this nature, the utmost impartiality is justly expected; and it is with confidence presumed, that a careful perusal of the following pages will convince the reader, that that impartiality has been strictly and invariably adhered to. Nothing has been inserted without due authority; and, as the object has been, not so much to dive into matters of Antiquity, as to preserve what was really useful, many things have been omitted which would have swelled the bulk of the Work, without adding to its usefulness. Nothing, however, has been left out, except what was judged to be spurious or not agreeable to the design of such a Collection; nor any thing added, merely on account of its being favourable to the reputation or the doctrines of any particular party. In short, whatever appeared to have been actually said or done, in either House of Parliament, that had any tendency to what ought to be the chief object of such a Publication, has, as far as authentic materials could be procured, been recorded with scrupulous fidelity."

⁂ *The Editor is preparing for the Press, to be comprised in Two Volumes:*

I. A GENERAL INDEX to the Parliamentary History of England, from the earliest Period to the Year 1803*: and*

II. A GENERAL INDEX to the Parliamentary Debates from the Year 1803, *to the Accession of* GEORGE THE FOURTH, *in* 1820.

The two Volumes will form a complete Parliamentary Dictionary, or ready Book of Reference to every subject of importance that has, at any time, come before Parliament. The great utility of such a Work, not only to Members of the two Houses, but to every Lawyer and Politician, must be self-evident. As many gentlemen, who have not been regular subscribers to the two Works, may nevertheless be desirous of possessing a general Index to the Political History of their Country, such gentlemen are requested to send in their names to the publishers; as only a very limited number of Copies beyond the usual impression will be printed.

SEPTEMBER 1820.

As the Reader will have constant occasion to refer to the THE PARLIAMENTARY HISTORY, *and to the First Series of* THE PARLIAMENTARY DEBATES, *the subjoined Tables, which exhibit at one view the period which each Volume of those Works embraces, will be found very useful.*

A CHRONOLOGICAL TABLE

Shewing the Years of our Lord, and of the King's Reign, in which the Thirty-six Volumes of THE PARLIAMENTARY HISTORY OF ENGLAND respectively began and ended.

Volume.	Begins.		Ends.	
	A. D.	An. Reg.	A. D.	An. Reg.
I.	1072.	6 William I.	May 29. ...... 1624.	22 James I.
II.	June 18. ...... 1625.	1 Charles I.	October 27... 1642.	18 Charles I.
III.	October 29... 1642.	18 Charles I.	April 12....... 1660.	12 Charles II.
IV.	April 25....... 1660.	12 Charles II.	October 10... 1688.	4 James II.
V.	October 10... 1688.	4 James II.	March 2....... 1702.	13 William III.
VI.	March 8....... 1702.	1 Anne.	July 9......... 1714.	13 Anne.
VII.	August 1...... 1714.	1 George I.	March 10..... 1722.	8 George I.
VIII.	October 9..... 1722.	9 George I.	March 14..... 1733.	6 George II.
IX.	April 4........ 1733.	6 George II.	February 22. 1737.	10 George II.
X.	March 4....... 1737.	10 George II.	June 14....... 1739.	12 George II.
XI.	November 15. 1739.	13 George II.	February 24. 1741.	14 George II.
XII.	February 26... 1741.	14 George II.	February 25. 1743.	16 George II.
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XV.	May 7. ...... 1753.	26 George II.	April 19....... 1764.	4 George III.
XVI.	January 10... 1765.	5 George III.	March 5...... 1771.	11 George III.
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A
CHRONOLOGICAL TABLE

Shewing the Years of our Lord, and of the King's Reign, in which the Forty-one Volumes of the First Series of The Parliamentary Debates respectively began and ended.

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XXIX.	November 8.. 1814.	55 ,, ,,	March 3....... 1815.	55 ,, ,,
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LIST

OF

THE HOUSE OF COMMONS,

As it stood in June 1820.

SPEAKER—The Right Hon. CHARLES MANNERS SUTTON.

Abercromby, hon. J. Calne
Acland, sir T. D. bart. Devonshire
A'Court, C. Ashe, Heytesbury
A'Court, E. H. Heytesbury
Alexander, James, Old Sarum
Allan, John H. Pembroke
Althorp, viscount, Northamptonshire
Ancram, earl, Huntingdon
Anson, sir George, Lichfield
Anson, hon. George, Yarmouth
Antrobus, G. C. Aldborough
Apsley, lord, Cirencester
Arbuthnot, rt. hon. C. St. Germains
Archdall, Mervyn, Fermanaghshire
Ashurst, William Henry, Oxfordshire
Astell, William, Bridgewater
Astley, J. D. Wiltshire
Atwood, Mathias, Callington
Aubrey, sir John, bart. Horsham
Bagwell, rt. hon. Wm. Tipperary
Baillie, John, Heydon
Balfour, John, Orkney
Bankes, George, Corff Castle
Bankes, Henry, Corff Castle
Barham, Jos. Foster, Stockbridge
Barham, John Foster, Stockbridge
Baring, Alex. Taunton
Baring, sir Thomas, bart. Wycombe
Barnard, viscount, Tregony
Barne, Michael, Dunwich
Barrett, S. B. M. Richmond
Barry, rt. hon. John M. Cavanshire
Barton, Nathaniel, Westbury
Bastard, Edm. Pollexfen, Devonshire
Bastard, John, Dartmouth
Bathurst, rt. hon. Charles, Harwich
Bathurst, hon. Seym. T. St. Germains
Beaumont, Thos. Wentw. Northumberland
Becher, William W. Mallow
Beckett, right hon. J. Cockermouth
Bective, earl of, Meathshire
Belfast, earl of, Belfast
Belgrave, viscount, Chester
Bennet, hon. Hen. Grey, Shrewsbury
Benett, John, Wiltshire
Bentinck, lord Fred. Cav. Weobly
Bentinck, lord W. H. Cav. Nottinghamshire
Benyon, Benjamin, Stafford
Beresford, sir J. P. bart. Coleraine
Beresford, lord George, Waterfordshire
Bernal, Ralph, Rochester
Bernard, viscount, Bandon Bridge
Bernard, Thomas, jun. King's County
Binning, lord, Rochester
Birch, Joseph, Nottingham
Blackburne, John, Lancashire
Blair, James Hunter, Wigtownshire
Blair, James, Aldeburgh
Blake, Robert, Arundel
Boswell, Alexander, Plympton
Boughey, sir J. Bart. Staffordshire
Boughton, William E. R. Evesham
Bourne, right hon. W. S. Christchurch
Bouverie, hon. Barthol, Downton
Bradshaw, Robert Haldane, Brackley
Branding, C. I. Northumberland
Bridges, George, London
Bright, H. Bristol
Broadhead, T. H. Yarm. Isle of Wight
Brogden, James, Launceston
Brougham, Henry, Winchelsea
Browne, Dominick, Mayo
Browne, James, Mayo
Browne, right hon. D. Kilkenny
Brown, Peter, Rye
Brownlow, Charles, Armaghshire
Bruce, Robert, Clackmannanshire
Brudenell, lord, Marlborough
Bruen, Henry, Carlowshire
Burdett, sir Francis, bart. Westminster
Burgh, sir Ulysses B. Carlowshire
Burrell, sir Charles M. bart. New Shoreham
Burrell, Walter, Sussex
Bury, visc. Arundel
Butler, hon. James W. Kilkennyshire
Butterworth, Joseph, Dover
Buxton, John Jacob, Bedwyn
Buxton, Thomas Fowell, Weymouth
Byng, George, Middlesex
Calcraft, John, Wareham
Calcraft, John H. Wareham
Calthorpe, hon. F. G. Hindon
Calvert, Charles, Southwark
Calvert, John, Huntingdon
Calvert, Nicolson, Hertford
Campbell, lord John D. H. Argyleshire
Campbell, hon. John F. Carmarthen
Campbell, Arch. Glasgow, &c.
Campbell, hon. G. P. Nairneshire
Canning, right hon. George, Liverpool
Carew, Rob. Shapland, Wexfordshire
Carhampton, earl of, Ludgershall
Carrol, John, New Ross
Carter, John, Portsmouth
Cartwright, Wm. Ralph, Northamptonshire
Castlereagh, viscount, Downshire
Caulfield, hon. H. Armaghshire
Cavendish, lord G. A. H. Derbyshire
Cavendish, hon. H. F. C. Derby
Cawthorne, I. F. Lancaster
Cecil, lord Thomas, Stamford
Chamberlayne, William, Southampton
Chaplin, Charles, Lincolnshire
Cheere, E. M. Cambridge
Cherry, G. H. Dunwich
Chetwynde, George, Stafford
Chichester, Arthur, Carrickfergus
Childe, W. L. Wenlock
Claughton, Thomas, Newton, Lancashire
Clements, J. M. Leitrimshire
Clerk, sir George, bart. Edinburghshire
Clifford, W. J. Dungarvon
Clifton, lord, Canterbury
Clinton, sir Wm. Henry, Newark
Clive, viscount, Ludlow
Clive, Henry, * Montgomery
Clive, hon. Robert H. Ludlow
Cockburn, sir George, Weobly
Cockerell, sir Charles, bart. Evesham
Cocks, hon. James S. Ryegate
Cocks, hon. John Somers, Hereford
Coffin, sir Isaac, bart. Ilchester
Coke, Thomas William, Norfolk
Coke, Thomas W. jun. Derby

Colborne, Nich. W. R. Thetford
Cole, hon. sir G. L. Fermanaghshire
Cole, sir C. Glamorganshire
Collett, Eben. John, Cashell
Colquhoun, right hon. A. Dumbartonshire
Colthurst, sir N. C. bart. Cork
Concannon, Lucius, Winchelsea
Congreve, sir Wm. Plymouth
Cooper, Robert B. Gloucester
Cooper, Edward Synge, Sligoshire
Copley, sir John Singleton, Ashburton
Corbet, P. Shrewsbury
Cotes, John, Shropshire
Cotterell, sir J. G. bart. Herefordshire
Courtenay, Thomas Peregrine, Totness
Courtenay, William, Exeter
Coussmaker, George, Kinsale
Cranborne, viscount, Hertford
Crawford, Arthur J. Old Sarum
Crawley, Samuel, Honiton
Creevey, Thomas, Appleby
Cripps, Joseph, Cirencester
Croker, John W. Bodmyn
Crompton, Samuel, Retford
Crosbie, James, Kerryshire
Cuffe, James, Tralee
Cumming, George, Fortrose
Cunningham-Fairlie, sir William, bart. Leominster
Curteis, E. J. Sussex
Curtis, sir Wm. bart. London
Curwen, John Christian, Cumberland
Curzon, hon. Robert, Clitherow
Cust, hon. William, Clitherow
Cust, hon. Edward, Grantham
Cust, hon. Peregrine, F. Honiton
Dalrymple, J. A. Appleby
Daly, James, Galwayshire
Davenport, Davies, Cheshire
Davies, Thomas Henry, Worcester
Davies, Richard Hart, Bristol
Dawkins, James, Hastings
Dawkins, Henry, Boroughbridge
Dawson, Geo. Rob. Londonderry County
Dawson, J. H. M. Clonmell
De Crespigny, sir W. C. Southampton
Deerhurst, viscount, Worcester
Denison, Wm. Joseph, Surrey
Denman, Thomas, Nottingham
Dent, John, Poole
Dickinson, William, Somersetshire
Divett, T. Gatton
Dobson, John, Rye
Domville, sir Compton, Bossiney
Don, sir Alexander, Roxburghshire
Douglas, John, Orford
Douglas, W. Rob. Keith, Dumfries, &c.
Doveton, Gabriel, Lancaster
Dowdeswell, John Edm. Tewkesbury
Downie, Rob. Inverkeithing, &c.
Drummond, James, Perthshire
Dugdale, Dugdale Stratf. Warwickshire
Dunally, lord, Okehampton
Duncannon, viscount, Malton
Duncomb, W. Grimsby
Duncombe, Charles, Newport, Isle of Wight
Dundas, Charles, Berkshire
Dundas, Thomas, Richmond
Dundas, right hon. Wm. Edinburgh
Dunlop, James, Kirkcudbright
Ebrington, lord viscount, Tavistock
Edmonstone, sir C. bart. Stirlingshire
Edwards, hon. E. H. Blechingly
Egerton, Wilbraham, Cheshire
Elford, Jonathan, Westbury
Eliot, hon. William, Liskeard
Ellice, Edward, Coventry
Ellis, Charles Rose, Seaford
Ellis, hon. G. J. Seaford
Ellis, Henry, Boston
Ellison, Cuthbert, Newcastle upon Tyne
Estcourt, Thomas Grimston, Devizes
Evans, William, Retford
Evelyn, Lyndon, St. Ives
Fane, John, Oxfordshire
Fane, John Thomas, Lime Regis
Fane, Vere, Lime Regis
Farquharson, Arch. Elgin, &c.
Farrand, Robert, Hedon
Fellowes, Wm. Henry, Huntingdonshire
Ferguson, James, Aberdeenshire
Fergusson, sir R. C. Dysart, &c.
Ferrars-Townsend, lord C. Tamworth
Fetherston, sir G. bart. Longfordshire
Fife, earl of, Bamfshire
Finch, George, Lymington
Fitzgerald, right hon. William, Clare
Fitzgerald, right hon. M. Kerryshire
Fitzgerald, lord W. C. Kildareshire
Fitz-Gibbon, hon. Richard, Limerickshire
Fitz-Harris, viscount, Wilton
Fitzroy, lord Charles, Thetford
Fitzroy, lord John, Bury St. Edmonds
Fleming, John, Hampshire
Foley, Thomas, Droitwich
Folkes, sir M. B. bart. King's Lynn
Folkestone, viscount, New Sarum
Forbes, Charles, Malmesbury
Forbes, viscount, Longfordshire
Forester, Francis, Wenlock
Foster, right hon. John, Louthshire
Fox, G. Lane, Beverley
Frankland, Robert, Thirsk
Fremantle, Wm. Henry, Buckingham
French, Arthur, Roscommonshire
Fynes, Henry, Aldborough
Gascoyne, Isaac, Liverpool
Gaskell, Benjamin, Malden
Gifford, sir Robert, Eye
Gilbert, Davies, Bodmyn
Gipps, George, Ripon
Gladstone, John, Woodstock
Glenorchy, lord, Oakhampton
Gooch, Thomas Sherlock, Suffolk
Gordon, Robert, Cricklade
Gosset, William, Truro
Goulburn, Henry, West Looe
Graham, James, St. Ives
Graham, Sandford, Ludgershall
Graham, sir James, bart. Carlisle
Grant, J. P. Tavistock
Grant, Alex. Cray, Lestwithiel
Grant, right hon. Charles, Inverness-shire
Grant, Francis Wm. Elginshire
Grant, Geo. Macpherson, Sutherlandshire
Graves, lord, Milborne Port
Greenhill-Russell, Robt. Thirsk
Grenfell, Pascoe, Penryn
Greville, hon. sir C. J. Warwick
Griffith, John Wynne, Denbigh
Grossett, J. R. Chippenham
Grosvenor, Rich. E. D. Romney
Grosvenor, Thomas, Chester
Guise, sir B. Wm. bart. Gloucestershire
Gurney, Hudson, Newton, Hants
Gurney, Richard H. Norwich
Haldimand, W. Ipswich
Hamilton, lord Arch. Lanarkshire
Hamilton, sir H. D. bart. Haddington, &c.
Hamilton, Hans. Dublinshire
Harbord, hon. E. Shaftesbury
Hardinge, sir H. Durham
Hare, hon. Richard, Corkshire
Hart, George Vaughan, Donegalshire
Harvey, Charles, Carlow
Harvey, Daniel W. Colchester
Harvey, sir E. Essex
Heathcote, sir Gilb. bart. Rutlandshire
Heathcote, J. G. Boston
Heron, sir Robt. Peterborough
Heygate, William, Sudbury
Hill, lord Arthur, Downshire
Hill, right hon. sir G. F. Londonderry
Hobhouse, J. C. Westminster
Hodson, John, Wigan
Holford, G. Queenborough
Holmes, sir L. T. W. bart. Newport, Isle of Wight
Holmes, William, Bishop's Castle
Honeywood, William, P. Kent
Hope, hon. sir Alex. Linlithgowshire
Hope, sir Wm. Johnston, Dumfriesshire
Hornby, Edmund, Preston
Horrocks, Samuel, Preston

Hotham, lord, Leominster
Houldsworth, Thomas, Pontefract
Howard, hon. F. G. Castle-Rising
Howard-Molyneux-Howard, lord Henry Thomas, Steyning
Howard, hon. Wm. Morpeth
Hudson, Harrington, Hellestone
Hughes, W. Lewis, Wallingford
Hughes, James, Grantham
Hulse, sir Charles, West Looe
Hume, Joseph, Aberdeen, &c.
Hurst, Robert, Horsham
Huskisson, right hon. William, Chichester
Hutchinson, hon. C. H. Cork
Hyde, John, Youghall
James, William, Carlisle
Jenkinson, hon. C. C. C. Grinstead
Jervoice, G. P. Hampshire
Innes, sir Hugh, bart. Kirkwall, &c.
Innes, John, Grampound
Jocelyn, viscount, Louthshire
Jolliffe, Hylton, Petersfield
Irving, John, Bramber
Kennedy, Thos. F, Ayr, &c.
Kerr, David, Athlone
King, sir J. D. bart. Wycombe
Kingsborough, viscount, Corkshire
Kinnersley, Wm. S. Newcastle, Stafford
Knatchbull, sir Edward, bart. Kent
Knox, hon. Thomas, Dungannon
Kynaston-Powell, sir J. Shropshire
Lamb, hon. William, Hertfordshire
Lambton, John George, Durham
Langstone, J. H. Woodstock
Lascelles, viscount, Northallerton
Latouche, Robert, Kildareshire
Legge, hon. Heneage, Banbury
Legh, Thomas, Newton, Lancashire
Legh-Keck, George Ant. Leicestershire
Leigh, James Henry, Winchester
Lemon, sir William, bart. Cornwall
Lennard, Thomas, Barrett, Ipswich
Lennox, lord John George, Chichester
Leslie, Charles Powell, Monaghanshire
Lester, Benj. Lester, Poole
Lethbridge, sir T. B. bart. Somersetshire
Lewis, Thomas Frankland, Beaumaris
Lewis, Wyndham, Cardiff
Lindsay, lord, Wigan
Lindsay, hon. H. Forfar, &c.
Littleton, Edw. John, Staffordshire
Lloyd, James Martin, New Shoreham
Lloyd, sir Edward Price, bt. Flint
Lockhart, William Elliot, Selkirkshire
Lockhart, J. I. Oxford
Long, right hon. Charles, Haslemere
Lovaine, lord, Beralston
Lowther, hon. H. Cecil, Westmorland
Lowther, John, Cumberland
Lowther, John H. Cockermouth
Lowther, viscount, Westmorland
Loyd, S. J. Hythe
Lucy, George, Fowey
Lushington, Steph. R. Canterbury
Lushington, S. Ilchester
Luttrell, Henry Fownes, Minehead
Luttrell, J. Fownes, Minehead
Maberly, John, Abingdon
Maberly, William L. Northampton
Macdonald, James, Calne
Macdonald, Ronald George, Plympton
Mackintosh, sir James, bart. Knaresborough
Mackenzie, Thomas, Ross-shire
M'Naughten, E. A. Orford
Macqueen, Thomas Potter, East Looe
Madocks, Wm. Alex. Chippenham
Magenis, Richard, Enniskillen
Mahon, sir R. Ennis
Mahon, hon. Stephen, Roscommonshire
Manners, lord Charles S. Cambridgeshire
Manners, lord Robert, Leicestershire
Mansfield, John, Leicester
Marjoribanks, sir J. bart. Berwickshire
Marjoribanks, S. Hythe
Markham, J. Portsmouth
Marryat, Joseph, Sandwich
Martin, sir Thos. B. Plymouth
Martin, Richard, Galwayshire
Martin, James, Tewkesbury
Maule, hon. Wm. R. Forfarshire
Maxwell, John, Renfrewshire
Maxwell, J. W. Downpatrick
Metcalf, H. J. Drogheda
Metdge, John, Dundalk
Milbank, Mark, Camelford
Mildmay, Paulet St. J. Winchester
Mills, Charles, Warwick
Milne, sir David, bart. Berwick
Milton, viscount, Yorkshire
Mitchell, John, Kingston-upon-Hull
Monck, J. B. Reading
Money, Wm. Taylor, St. Michael
Monteith, H. J. Selkirk, &c.
Montgomery, sir J. bart. Peebleshire
Montgomerie, James, Ayrshire
Moore, Peter, Coventry
Moore, A. Shaftesbury
Mordaunt, sir C. bart. Warwickshire
Morgan, sir Charles, bart. Monmouthshire
Morgan, George Gould, Brecon
Morland, sir S. B. bart. St. Mawes
Mostyn, sir Thomas, bart. Flintshire
Mountcharles, earl, Donegalshire
Mundy, Edw. Miller, Derbyshire
Munday, George, Boroughbridge
Neale, sir Harry B. bart. Lymington
Needham, hon. Fran. Newry
Neville, hon. Richard, Berkshire
Newman, Robt. Wm. Exeter
Newport, rt. hon. sir J. bart. Waterford
Nicholl, rt. hon. sir J., Bedwyn
Nightingale, S. M. Eye
Noel, sir Gerard Noel, bart. Rutland
Nolan, Michael, Barnstaple
North, Dudley, Newtown, Hants.
Northey, William, Newport, Cornwall
Nugent, sir G. bart. Buckingham
Nugent, lord, Aylesbury
O'Brien, sir Edw. bart. Clare
O'Callaghan, James, Tregony
O'Grady, S. Limerickshire
O'Hara, Charles, Sligoshire
Ommaney, sir Francis M. Barnstaple
O'Neil, hon. J. R. Bruce, Antrimshire
Onslow, Arthur, Guildford
Ord, William, Morpeth
Osborne, lord F. G. Cambridgeshire
Ossulstone, lord, Berwick
Owen, sir John, Pembrokeshire
Paget, hon. Berkeley, Milborne Port
Paget, hon. sir Charles, Carnarvon
Pakenham, hon. H. Rob. Westmeath County
Palk, sir L. V. bart. Ashburton
Palmer, Charles Fyshe, Reading
Palmer, Charles, Bath
Palmerstone, viscount, Cambridge University
Pares, Thomas, Leicester
Parnell, sir Henry, bart. Queen's County
Parnell, William, Wicklowshire
Parsons John, King's County
Pearse, John, Devizes
Pechell, sir Thomas B. Downton
Peel, right hon. Robert, Oxford University
Peel, William Yates, Tamworth
Peirse, Henry, Northallerton
Pelham, hon. Charles A. Lincolnshire
Pellew, hon. Powell, B. Launceston
Pennant, G. H. D. Romney
Percy, hon. H. Beralston
Percy, hon. W. H. Stamford
Phillimore, Joseph, St. Mawes
Philips, George, Wotton Basset
Philips, George Richard, Steyning
Phipps, hon. Edm. Scarborough
Pitt, Joseph, Cricklade
Pitt, William Morton, Dorsetshire
Plumer, William, Higham Ferrers

Plumer, John, Hindon
Plunket, right hon. W. C. Dublin University
Pole, sir Peter, bart. Yarmouth, Isle of Wight
Pole, right hon. W. W. Queen's County
Pollen, sir J. bart. Andover
Pollington, viscount, Pontefract
Ponsonby, hon. Fred. C. Kilkennyshire
Portman, Edw. Berkeley, Dorsetshire
Powell, William Edward, Cardiganshire
Power, Richard, Waterfordshire
Powlett, hon. W. I. F. Durham County
Prendergast, M. G. Galway
Price, Robert, Herefordshire
Price, Richard, New Radnor
Pringle, sir William H. Liskeard
Prettie, hon. F. A. Tipperary
Proby, hon. Gran. Lev. Wicklowshire
Pryse, Pryse, Cardigan
Pym, Francis, Bedfordshire
Rae, sir W. bart. Crail, &c.
Raine, Jonathan, Newport, Cornwall
Ramsbottom, John, jun. Windsor
Ramsay, sir A. bart. Kincardineshire
Ramsden, John Charles, Malton
Ricardo, David, Portarlington
Rice, G. R. Carmarthen
Ricketts, C. M. Dartmouth
Rickford, William, Aylesbury
Ridley, sir Matt. White, bart. Newcastle-upon-Tyne
Robarts, Abraham W. Maidstone
Robarts, William Tierney, St. Albans
Robarts, G. J. Wallingford
Roberts, Wilson, A. Bewdley
Robertson, Alexander, Grampound
Robinson, right hon. Fr. J. Ripon
Robinson, sir G. bart. Northampton
Rochfort, Gustavus, H. Westmeathshire
Rocksavage, earl of, Castle Rising
Rogers, Edward, Bishop's Castle
Rose, right hon. George H. Christchurch
Rowley, sir William bart. Suffolk
Rumbold, Charles E. Yarmouth
Russell, Matthew, Saltash
Russel, J. W. Gatton
Russell, lord John Huntingdonshire
Russell, lord George W. Bedford
Ryder, right hon. Richard, Tiverton
Sandon, viscount, Tiverton
Scarlett, James, Peterborough
Scott, Samuel, Whitchurch
Scott, sir William, knt. Oxford University
Scott, J. Bridport
Scott, hon. W. H. I. Hastings
Scourfield, W. H. Haverfordwest
Scudamore, Rich. Phil. Hereford
Sebright, sir John, S. bart. Hertfordshire
Sefton, earl of, Droitwich
Seymour, Horace, Lisburn
Seymour, H. J. Hugh, Antrimshire
Shaw, Robert, Dublin
Sheldon, Ralph, Wilton
Shelley, sir John bart. Lewes
Shiffner, sir George, bart. Lewes
Sibthorp, Coningsby W. Lincoln
Smith, George, Wendover
Smith, John, Midhurst
Smith, Abel, Midhurst
Smith, Christopher, St. Albans
Smith, hon. Robert, Buckinghamshire
Smith, Samuel, Wendover
Smith, Thos. Assheton, Andover
Smith, William, Norwich
Smith, Robert, Lincoln
Smyth, John Henry, Cambridge University
Sneyd, Nathaniel, Cavanshire
Somerset, lord G. C. H. Monmouthshire
Somerset, lord R. E. H. Gloucestershire
Somerville, sir M. bt. Meathshire
Sotheron F. Nottinghamshire
Spurrier, C. Bridport
Stanley, lord, Lancashire
Staunton, sir George bart. St. Michael
Stewart, Alexander R. Londonderryshire
Stewart, hon. J. H. K. Wigton, &c.
Stewart, W. Tyrone County
Stewart, right hon. sir J. bart. Tyrone County
Stopford, lord, Wexfordshire
Strathaven, lord, Grinstead
Strutt, Joseph Holden, Malden
Stuart-Wortley, Jas. A. Yorkshire
Stuart, lord P. J. Bute
Stewart, William, Armagh
Sumner, Geo. Holme, Surrey
Suttie, sir James, bart. Haddingtonshire
Sutton, rt. hon. C. M. Scarborough
Swann, Henry, Penryn
Sykes, Daniel, Kingston-upon-Hull
Talbot, Rich. Wogan, Dublinshire
Tavistock, marq. of, Bedfordshire
Taylor, sir Herbert, Windsor
Taylor, Charles William, Wells
Taylor, George Watson, East Looe
Taylor, M. Angelo, Durham City
Temple, earl, Buckinghamshire
Tennyson, Charles, Grimsby
Thompson, William, Callington
Thynne, lord John, Bath
Tierney, rt. hon. George, Knaresborough
Titchfield marq. of, Blechingley
Townshend, hon. H. G. P. Whitchurch
Townshend, lord J. N. B. Helleston
Townshend, lord C. Tamworth
Tremayne, John Hearle, Cornwall
Trench, F. W. Cambridge
Tulk, C. A. Sudbury
Tudway, John Payne, Wells
Twiss, Horace, Wootton Bassett
Tynte, C. K. Bridgewater
Tyrwhit-Drake, Thos. Agmondesham
Tyrwhit-Drake, Wm. Agmondesham
Upton, hon. Arthur P. Bury St. Edmonds
Ure, Masterton, Weymouth
Uxbridge, earl of, Angleseyshire
Valletort, viscount, Fowey
Vansittart, rt. hon. N. Harwich
Vaughan, sir R. W. bart. Merionethshire
Vereker hon. J. Pren. Limerick
Vernon, Granville G. Ven. Lichfield
Villiers, right hon. J. C. Queenborough
Vivian, sir R. H. Truro
Walker, Joshua, Aldeburgh
Wall, Charles Baring, Guildford
Wallace, rt. hon. Thos. Weymouth
Walpole, lord, King's Lynn
Ward, hon. John Wm. Bossiney
Ward, Robert, Haslemere
Warre, J. A. Taunton
Warren, Charles, Dorchester
Warrender, sir G. bart. Sandwich
Webb, Edward, Gloucester
Wells, J. Maidstone
Wemyss, J. Fife
Westenra, hon. H. R. Monaghanshire
Western, Charles Callis, Essex
Wetherell, C. Oxford
Wharton, John, Beverley
Whitbread, Wm. Henry, Bedford
Whitbread, S. C. Middlesex
White, Luke, Leitrimshire
Whitmore, Thomas, Bridgenorth
Whitmore, William, Bridgenorth
Wigram, sir Robert, Lestwithiel
Wigram, W. Wexford
Wilberforce, William, Bramber
Wilbraham, Edw. B. Dover
Wildman, James B. Colchester
Wilkins, Walter, Radnorshire
Williams, Owen, Marlow
Williams, sir Robert, bart. Carnarvonshire
Williams, Robert, Dorchester
Williams, William, Weymouth
Williams, T. P. Marlow
Willoughby, Henry, Newark
Wilmot, Robert J. Newcastle, Stafford
Wilson, sir Robert, Southwark
Wilson, Thomas, London
Winnington, S. T. Worcestershire
Wodehouse, Edmond, Norfolk
Wodehouse, hon. J. Marlborough
Wood, Matthew, London
Wood, Thomas, Breconshire
Worcester, marq. of, Monmouth

Wrottesley, Henry, Brackley
Wyndham, Wadham, New Sarum
Wynne, Owen, Sligo
Wynn, Chas. Watkin Wm. Montgomeryshire
Wynn, sir W. Will. bart. Denbighshire
Wyvill, M. York
Yarmouth, earl of, Camelford
Yorke, sir Jos. Sydney, Ryegate.

LIST OF THE SIXTEEN PEERS OF SCOTLAND.

Bruce, Thomas, earl of Elgin and Kincardine
Colville, John, baron Colville
Dalrymple, John, earl of Stair
Douglas, Charles, marq. Queensberry
Erskine, Thomas, earl of Kellie
Forbes, Ochonear J. baron Forbes
Fraser, Geo. Alex. baron Saltoun
Gray, Francis, baron Gray
Hamilton, Montgomery, Robert baron Belhaven
Hay, George, marquis Tweedale
Kerr, William, marquis Lothian
Lindsay, Alex. earl of Balcarras
Napier, Francis, baron Napier
Primrose, J. A. earl of Roseberry
Ramey, Home, Alex. earl of Home
St. Clair, Charles, baron Sinclair

LIST OF

THE KING'S MINISTERS,

As it stood in June 1820.

CABINET MINISTERS.

Earl of Harrowby	Lord President of the Council.
Lord Eldon	Lord High Chancellor.
Earl of Westmoreland	Lord Privy Seal.
Earl of Liverpool	First Lord of the Treasury.
Right Hon. Nicholas Vansittart	Chancellor and Under-Treasurer of the Exchequer, and Chancellor of the Exchequer for Ireland.
Viscount Melville	First Lord of the Admiralty.
Duke of Wellington	Master-General of the Ordnance.
Viscount Sidmouth	Secretary of State for the Home Department.
Viscount Castlereagh	Secretary of State for Foreign Affairs.
Earl Bathurst	Secretary of State for the Department of War and the Colonies.
Right Hon. George Canning	President of the Board of Control for the Affairs of India.
Right Hon. Charles Bragge Bathurst	Chancellor of the Duchy of Lancaster.
Right Hon. W. W. Pole	Master of the Mint.
Right Hon. F. J. Robinson	Treasurer of the Navy, and President of the Board of Trade.
Earl of Mulgrave	

NOT OF THE CABINET.

Viscount Palmerston	Secretary at War.
Right Hon. Charles Long	Paymaster-General of the Forces.
Earl of Chichester	Joint Postmaster-General.
Marquis of Salisbury	
Right Hon. Charles Arbuthnot	Joint Secretaries of the Treasury.
S. R. Lushington, esq.	
Right Hon. Thomas Wallace	Vice-President of the Board of Trade.
Right Hon. Thos. Plumer	Master of the Rolls.
Right Hon. Sir John Leach	Vice Chancellor.
Sir Robert Gifford	Attorney General.
Sir John Copley	Solicitor General.

PERSONS IN THE MINISTRY OF IRELAND.

Earl Talbot	Lord Lieutenant.
Lord Manners	Lord High Chancellor.
Right Hon. Charles Grant	Chief Secretary.
Right Hon. Sir G. F. Hill	Vice Treasurer.

THE

Parliamentary Debates

During the First Session of the Seventh Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Twenty-first Day of April 1820, in the First Year of the Reign of His Majesty King GEORGE the Fourth.

HOUSE OF LORDS.

Friday, April 21, 1820.

MEETING OF THE NEW PARLIAMENT.] This being the day appointed for the meeting of the New Parliament, several peers assembled at two o'clock. Soon after that hour the Lord Chancellor, the archbishop of Canterbury, the duke of Wellington, the earl of Westmoreland, and the earl of Shaftesbury, took their seats in front of the throne as commissioners. The Lord Chancellor directed the deputy gentleman usher of the Black Rod to proceed to the Commons, and summon that House to attend at their lordships' bar forthwith. Mr. Quarme, the deputy usher, proceeded accordingly to the House of Commons, and soon after returned, accompanied by the clerks of that House, and a considerable number of the members. The Lord Chancellor stated, that his majesty had been pleased to order letters patent to be issued for the appointment of certain lords therein named to open the parliament, which letters patent the lords and gentlemen present would now hear read.—The commission being read, the Lord Chancellor said, that in obedience to his majesty's commands, he had to inform the lords and gentlemen then in attendance, that as soon as a sufficient number of members of both Houses should be sworn, his majesty would declare the causes for the assembling of this parliament. In the mean time, it was his majesty's pleasure that the gentlemen of the House of Commons should return to the place where they usually hold their sittings, and there proceed to choose a fit and proper person to be their Speaker, and that they should present the person so chosen at the bar of that House to-morrow, at two o'clock, for his majesty's approbation. The Commons then withdrew, and their lordships went to prayers. After prayers, the oaths were taken in the usual form by the lords present.

HOUSE OF COMMONS.

Friday, April 21.

CHOICE OF A SPEAKER.] Many of the members of the new parliament having assembled in the House of Commons at half past two, the yeoman usher of the Black Rod appeared at the bar of the House, and having proceeded to the table, informed the members that they were required by the Lords Commissioners to attend the House of Peers to hear the Commission read. After they had returned,

Sir *William Scott* rose for the purpose of submitting a motion to supply the vacancy in the honourable office of Speaker. He had never claimed the attention of the House with more unmixed satisfaction, from a conviction that the opinion he entertained upon this subject was universal among the honourable gentlemen whom he was addressing. Although the distinguished individual who had presided over the deliberations of the House during the two last parliaments had perhaps the most indisputable title again to fill the same office, he could not but be aware that he was speaking in the presence of many who, on any other occasion, both from public and private considerations, would be equally deserving of the utmost confidence of the House. It could not be denied that, composed as that House was of gentlemen selected from the various component parts of society in the United Kingdom, many were to be found in it whose talents, acquirements, and general merits would afford a fair prospect of a successful discharge of the arduous duties of Speaker. Here, however, it was fortunately not necessary to hazard any speculation, however promising; past services, and tried and demonstrable abilities—abilities not confined to the mere discharge of what might be termed the dry duties of the office—had commanded not merely the approbation, but the admiration, of every member who had witnessed their employment. Thus all experiment was rendered needless, and perhaps he should justly merit censure if he were to attempt any description of the duties of the individual who was appointed to preside over the discussions of the House: he should better discharge this part of the task he had undertaken, by referring to the mode in which his right hon. friend had fulfilled those duties. [Hear, hear!]. With regard to the qualifications of a Speaker also, it might be said, in a word, that all and more had been displayed by the individual about to be offered to the choice of the House; but, as many gentlemen might be now present who had not had an opportunity of personally observing their exercise, he would make a very few remarks upon them. The first qualification undoubtedly was, a warm affection for the happy constitution of this country, including an inflexible regard for the rights and privileges of the House, and for the just liberties of the people, of which liberties those rights and privileges were to be numbered among the principal securities. A great portion of health and strength was necessary to undergo the severe labour, he had almost said the oppressive fatigue of such a station: the Journals of the House contained a voluminous body of historical reading, and to a familiarity with them must be added an official acquaintance, not merely with forms, but with the principles on which those forms originated, and upon which they were most wisely established. A facility of access, and a frankness of communication in all the intercourse of private business, were highly desirable; and an attention ever awake to the exigencies of the moment in the performance of more public functions was indispensable. All who were members of the last parliament knew how eminently these requisites were united in his right hon. friend; and to them might be added one more amiable qualification equally conspicuous—an unaffected suavity of disposition and manners; a suavity that, without courting popular regard, universally attracted it. A liberal, a splendid hospitality, congenial with the habits of the country, and well becoming the dignity of the presiding member of a great deliberative assembly, had ever been experienced at his table. If the present had been an occasion on which he ought to indulge his own feelings, he could readily amplify upon the qualities necessary for a Speaker, because he had before him a perfect example of them; but it behoved him to forbear the gratification of his own personal wishes, that he might no longer retard the declaration of that united sentiment which the House was impatient to display. He therefore would move, without further preface, "That the Right Honourable Charles Manners Sutton do take the chair of this House as Speaker."

Mr. *Holme Sumner* seconded the motion. He said, he had not sat so long in parliament without having obtained some knowledge of the arduous duties of the Speaker: the great increase of public business had of late added much to the severity of the burthen. In thus supporting the proposition of the right hon. mover he was aware that he was placing himself in a situation to which he had no other claim than the length of time during which he had filled a seat in parliament: his service as a representative had taught him how much of the regularity and dignity of their proceedings were connected with the office of Speaker. If he had had to recommend a gentleman who was unknown, it would have been proper to have entered at some length into the foundation of his claim; but, as had been already remarked, the individual now proposed had proved himself, in every way, worthy of the confidence and approbation of the House. As he had never known Mr. Manners Sutton but in his public capacity, he could not propose him with the partiality of private friendship; but the respect and regard he had excited in his public capacity were amply sufficient to establish his competence. When it was recollected that the education of that right hon. gentleman had been directed to the laws of his country, and to the principles of its inestimable constitution, that alone formed a high claim to the suffrages of the House; but after it had been seen in how short a time after he had been first elevated to the situation of Speaker, three years ago, he had appeared to have deeply studied the laws and rules, and investigated the principles by which the proceedings of the House were regulated—after the readiness he had displayed in the discharge of every point of duty, it would have been supposed, by those unacquainted with his previous history, that he had made the subject the diligent occupation of his life. To this knowledge was to be added a becoming deference for the opinion of the House, which, while it evinced a confidence in his own information, by the manner in which the rule was prescribed, did not diminish from the dignity of the station he was appointed to occupy. He might advert, also, to the peculiar facility with which all members obtained access to him, and to the urbanity of his communications on all subjects of parliamentary difficulty; but it was needless, as most of those who heard him had had frequent opportunities of experiencing it. After the manner in which the motion had been made by a right hon. gentleman so remarkable for his eloquence, and after the mode in which the distinguished individual proposed had been designated by him were he to make any attempt of the same kind, he should only succeed in making conspicuous his own incompetence to the undertaking; he would therefore merely thank the House for the kindness with which it had already heard him, adding, in conclusion, that, since he had been honoured with a seat in parliament, he had never voted with greater satisfaction than he should do on the present occasion, from a conviction that the individual in question combined in his own person, claims of every kind; and was not only most competent for his high office, but most acceptable to the House.

Mr. *Manners Sutton* rose amid the cheers of the House. He said, he hoped that neither the right hon. gentleman who had moved his nomination in a manner so flattering, nor the hon. gentleman who had so handsomely seconded it, nor the House which had received the proposition with such marks of approbation, would measure the strength of his feelings of gratitude on this occasion by the feeble manner in which he should express them. He fully concurred in all that had been said of the high duties and weighty labours of the office of Speaker not only as it was immediately connected with the House itself, but as it respected the public at large. At all times the most embarrassing subject was that where the individual addressing the House was personally concerned: no man who spoke honestly was too ready to undervalue himself; and when the difficulties that surrounded the situation of Speaker, were considered—when it was recollected how much, as the honourable member for Surrey had observed, the public business had increased, being of late years almost doubled—and when were added to that the new embarrassments arising out of the times in which we lived, that man must be a bold one who dared to presume that he was adequate to such an office. His right hon. friend, whose kindness in public and private he had experienced on many occasions, but never more than on the present, had been pleased to refer with approbation to his previous conduct in the chair: he could only say, that if he had had the good fortune to give satisfaction, he had already obtained his first and highest remuneration. As to any services, the performance of which was within his reach, he would honestly state, that he attributed their success, not to any exertions he was capable of making, but to that for which he was at all periods most thankful—the constant and cordial co-operation of the House. Its indulgent assistance had been always ready, and it had ever shown a forbearing disinclination to notice accidental mistakes, or to mark involuntary lapses, and a friendly determination to be satisfied with such exertions as its Speaker was competent to make. The House would pardon him, if, in his anxiety to relieve them from the painful task of listening longer to a subject, embarrassing, inasmuch as it was personal, he contented himself with adding, that he had no reliance whatever on any pretensions of his own: he would not deny that to secure the approbation of the House had been the highest object of his ambition; and if it were again its pleasure to place him in the dignified station of Speaker, the most he could say, and the most he could do, was to assure it, that his anxious and constant exertions should be employed in its service [Cheers].

The right hon. gentleman was then conducted to the chair, between the mover and seconder. Having taken his seat, he again rose and observed, that it was quite impossible for him to convey to the House the deep sense he entertained of the honour just conferred upon him. After what had already fallen from him, it would ill become him to attempt to mislead the House by any assurance that he could discharge the duties of the office in which he was placed, with the abilities they required: he must now, as heretofore, implore the constant assistance and kind indulgence of the House. He might, however, without too much presumption, ask credit for this assurance—that he would discharge his duties honestly, with the utmost zeal, and with the strictest impartiality [Continued cheers].

Lord *Castlereagh* said, that, in the situation in which the House now found itself, the only question that remained was that of adjournment; but he hoped he might be permitted, in the name of the House, as well as for himself, to offer his congratulation on the choice that had just been made. From the manner in which the proposition of his right hon. friend had been received, it was obvious that the House was anxious to bestow on the individual now appointed to preside over its discussions, the highest mark of its approbation and confidence; and there could be no such mark in this free country more distinguished, than that of being rendered the first commoner of the empire. It was undoubtedly a matter of proud satisfaction, that at the period when the Speaker was placed in the chair, all opinions were united in his favour. He was sure that the House would feel what had been already observed, that, without touching upon the peculiar importance of the times in which we lived (and certainly that man must take a very superficial view of the condition of affairs who should consider them but ordinary times), the office of Speaker included many important duties connected with the jarring interests of this mighty empire, while parliament was devoting its attention to promote its welfare and prosperity. It was no small satisfaction to have now placed in the chair an individual by general consent so capable of fulfilling the arduous task imposed upon him—so competent to guide the House in its deliberations—to preside over those discussions in which the best interests of the state were engaged with manly fortitude, and to enforce with firmness and wisdom those rules and forms so essential to the privileges of parliament, and to the maintenance of the real liberties of the subject. Of the qualifications of the Speaker the last parliament had enjoyed the benefit, and he was most happy that they were to be continued to the present [Hear]. He would move, that the House do now adjourn.

Mr. *Brougham*, in the absence of those more competent and more worthy generally to express the feelings of those who sat on his side of the House, trusted that it would not be thought presumptuous if he added his testimony to that of the hon. gentleman who had preceded him. He took the liberty, therefore, to congratulate, first the Speaker, but most of all the House itself, and not less the House than the whole Commons of England, upon the free choice which had now fallen, for the third time, upon the same individual. He was sure that he expressed only the general sentiment in the wish that the Speaker now elected might continue with the enjoyment of health and long life to fill a station equally necessary for the support of the privileges of the House, and for the preservation of the liberties of the people at large; and the duties of which, he grieved to say, by the common consent of all, were not likely to be lightened. It was a matter of most sincere congratulation to the House and to the country, that it had again the inestimable benefit of having the chair filled by one who had shown himself, in all the more important, as well as in the less material parts of the functions of his situation, eminently gifted for their discharge; who had upon every occasion proved that he was indeed the depository of the truest dignity of the House, by wearing the honours conferred upon him both with firmness and meekness. It formed one of his highest and most essential titles to the office, that on all necessary occasions he had evinced the courage as well as the capacity to protect the sacred privileges of the House from infraction, under whatever pretext, whether assaulted by lawless violence, or put to hazard by the more subtile attempts of gradual encroachment.

The House then adjourned.

HOUSE OF LORDS.

Saturday, April 22.

The deputy usher of the Black Rod was sent to the House of Commons to desire their attendance. Shortly afterwards, the Speaker, followed by a great number of other members, came to the bar.

Mr. *Manners Sutton* said:—My lords, I have the honour to announce to your lordships, in the name of the House of Commons of the United Kingdom of Great Britain and Ireland, that his majesty's faithful Commons have proceeded to the choice of a Speaker, and that that choice has fallen upon me. I am fully aware, my lords, of the arduous duties of the situation to which I have thus been chosen, and of my own insufficiency to perform those duties. Should, however, it be his majesty's pleasure to reject the choice thus made by his faithful Commons, it is consolatory to me to know that there are many members of the House much better qualified than myself to fulfil the office of Speaker, upon any one of whom their choice may most advantageously devolve.

The *Lord Chancellor.*—Mr. Manners Sutton; his majesty being fully aware of your tried ability and zeal for the public service, has commanded us to signify his most gracious approbation of the choice made by his faithful Commons of you to be their Speaker.

The *Speaker.*—My lords, I humbly submit myself to his majesty's most gracious pleasure. It becomes, therefore, my duty, in the name of his majesty's faithful Commons, to claim their ancient and undoubted privileges, namely, freedom from arrest and molestation for themselves, their servants and estates, freedom of debate, and free access to his majesty whenever occasion shall require it. I have also, my lords, further to request, in the name of his majesty's faithful Commons, that the most favourable construction may be put upon all their proceedings, and that if any mistake should arise, it may be imputed to me, and not to them.

The *Lord Chancellor.*—Mr. Speaker; we have it in command from his majesty, most graciously to allow to his faithful Commons all the privileges and immunities, and that in the most full and ample manner, which they enjoyed under any of his predecessors; and we have it further in command from his majesty to declare to you, that in every case the most favourable construction shall be put upon the proceedings of his majesty's faithful Commons.

The Speaker and the members retired, and the lords commissioners withdrew to unrobe. On the return of the latter, the lord chancellor took the woolsack, and the oaths were administered to those lords who came into the House.

HOUSE OF COMMONS.

Saturday, April 22.

The House met at two o'clock, and was immediately after summoned by the Black Rod to the House of Peers. On their return,

The *Speaker* informed the House, that they had been in the House of Peers, where the commissioners, authorized by his majesty's commission, had communicated to him that his majesty had been graciously pleased to approve of their choice of him as Speaker. He had thereupon immediately proceeded to claim for them their ancient rights and privileges of freedom of speech, freedom from arrest for themselves and servants, free access to the royal presence, &c. all of which his majesty had been graciously pleased to grant to them in as full and ample manner as ever had been granted on any former occasion. He must again express the deep sense of gratitude which he felt to the House for having thus conferred on him this, the highest mark of confidence in their power; and he must now implore them to give him their constant support to enable him to preserve their privileges, which were not only theirs, but the privileges of all the Commons of England. He had also to entreat their constant and unremitting support and assistance in preserving the established rules and orders of the House; not less necessary for the preservation of decency and regularity in their proceedings, than they were for the convenient dispatch of business. It should be his constant study so to discharge the duties of his high situation as to give satisfaction to the House, and in such a manner as should be most useful to the public, and conducive to his own honour. The first business which gentlemen had now to attend to, was, to take the several oaths of supremacy, abjuration, &c. indispensably necessary to qualify them to take their seats.

The Speaker then proceeded to take the oaths himself, and was followed by numerous other members.

HOUSE OF LORDS.

Thursday, April 27.

THE KING'S SPEECH ON OPENING THE SESSION.] This day his majesty came in state to the House of Peers, and being seated on the throne, the gentleman usher of the Black Rod was directed to summon the Commons to attend. The Speaker immediately obeyed the summons, and presented himself at the bar, attended by more than one hundred members. His majesty then delivered the following most gracious Speech to both Houses:

"My Lords and Gentlemen;

"I have taken the earliest occasion of assembling you here, after having recurred to the sense of my people.

"In meeting you personally for the first time since the death of my beloved father, I am anxious to assure you, that I shall always continue to imitate his great example, in unceasing attention to the public interests, and in paternal solicitude for the welfare and happiness of all classes of my subjects.

"I have received from foreign powers renewed assurances of their friendly disposition, and of their earnest desire to cultivate with me the relations of peace and amity.

"Gentlemen of the House of Commons;

"The estimates for the present year will be laid before you.

"They have been framed upon principles of strict economy; but it is to me matter of the deepest regret that the state of the country has not allowed me to dispense with those additions to our military force which I announced at the commencement of the last session of parliament.

"The first object to which your attention will be directed is the provision to be made for the support of the civil government, and of the honour and dignity of the Crown.

"I leave entirely at your disposal my interest in the hereditary revenues: and I cannot deny myself the gratification of declaring, that so far from desiring any arrangement which might lead to the imposition of new burthens upon my people, or even might diminish, on my account, the amount of the reductions incident to my accession to the throne, I can have no wish, under circumstances like the present, that any addition whatever should be made to the Settlement adopted by parliament in the year 1816.

"My Lords and Gentlemen;

"Deeply as I regret that the machinations and designs of the disaffected should have led, in some parts of the country, to acts of open violence and insurrection, I cannot but express my satisfaction at the promptitude with which those attempts have been suppressed by the vigilance and activity of the magistrates, and by the zealous co-operation of all those of my subjects whose exertions have been called forth to support the authority of the laws.

"The wisdom and firmness manifested by the late parliament, and the due execution of the laws, have greatly contributed to restore confidence throughout the kingdom; and to discountenance those principles of sedition and irreligion which had been disseminated with such malignant perseverance, and had poisoned the minds of the ignorant and unwary.

"I rely upon the continued support of parliament in my determination to maintain, by all the means intrusted to my hands, the public safety and tranquillity.

"Deploring, as we all must, the distress which still unhappily prevails among many of the labouring classes of the community, and anxiously looking forward to its removal or mitigation, it is in the mean time our common duty, effectually to protect the loyal, the peaceable, and the industrious, against those practices of turbulence and intimidation, by which the period of relief can only be deferred, and by which the pressure of the distress has been incalculably aggravated.

"I trust that an awakened sense of the dangers which they have incurred, and of the arts which have been employed to seduce them, will bring back by far the greater part of those who have been unhappily led astray, and will revive in them that spirit of loyalty, that due submission to the laws, and that attachment to the constitution, which subsist unabated in the hearts of the great body of the people, and which, under the blessing of Divine Providence, have secured to the British nation the enjoyment of a larger share of practical freedom, as well as of prosperity and happiness, than have fallen to the lot of any nation in the world."

His majesty then retired, and the Commons returned to their House.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] His majesty's most gracious speech having been again read by the lord chancellor, and also by the reading clerk at the table,

Lord Viscount *Granville* rose to move an address of thanks. The noble lord said, that being of late not much accustomed to public speaking, he felt considerable embarrassment in addressing their lordships on the present occasion, and that embarrassment could not fail to be increased when he considered how many noble lords there were now around him who were far better qualified than himself to do justice to the task he had undertaken; but it was at the same time highly satisfactory to him, while performing this duty, to reflect, that the speech which had, on this important occasion, been delivered from the throne, was one the language of which was of a nature almost to preclude discussion; and that the sentiments of the address he was about to move, were such as must necessarily command the general, he might say the unanimous, concurrence of their lordships. This consideration was more peculiarly satisfactory at the present moment, for there never was a period when it was of so much importance for both Houses of Parliament to show unanimity in their devotion to the throne, and attachment to the institutions of the country; and the spirit by which they were animated would be best proved by abstaining from introducing topics calculated to create division. The occasion on which he addressed their lordships was most important, whether considered as the commencement of a new era or the close of one that had passed. In looking back to the history of the country under his late majesty, they beheld a period marked by various and important vicissitudes. The annals of the late reign afforded more historical lessons than those of preceding centuries. In them their lordships might learn what ought to be avoided, and what it was fit to imitate. They would see how, in another country, an event which had commenced with appeals to philanthropy and humanity had soon changed to anarchy and bloodshed, and had finally terminated in a military despotism. This example warned them carefully to maintain the constitution from which they had derived such benefits. He was old enough to remember the time when the people of this country were instigated to imitate France; and the spirit which then prevailed was of such a nature, that it justly excited alarm. He who now wore the crown of these realms, notwithstanding there were among his earliest friends some who held opinions different from his, was among the first to give to the measures of government the support of his name and authority. His great example was followed by the most distinguished men of that day, and by the great majority of the country. The consequence was, that discontents were suppressed, and the designs of the disaffected were defeated. It was with great propriety, then, that they were this day called upon by the crown to imitate this example, and to discountenance those principles of sedition and irreligion which had been disseminated with such malignant perseverance, and had poisoned the minds of the ignorant and the unwary, and of the fatal effects of which their lordships had already had so much experience. The danger of the country in those times was not, however, completely removed by the defeat of the internal enemies of the constitution. The great military power of France formed a most formidable external danger, and threatened the country with invasion. France being at last enabled to command the resources of almost all the countries of Europe, and to bring them against Great Britain, the contest became most arduous, and the difficulties were such as could only have been overcome by a people fully sensible of the advantages of the constitution under which they lived, and resolved to sacrifice every thing in its support. It must, however, be admitted, that the exertions made by the country were almost beyond its means. The effects of the exhausting efforts which were made during the war were now severely felt. While the contest continued no distress was experienced, because, from the manner in which the contest was carried on, it secured to this country a commercial monopoly. Thus, the means of carrying on the war increased with the progress of hostilities; but the growth of commerce, and the extent to which it was pushed, created a mass of manufacturing population, for which it was impossible to find employment on the restoration of peace. To the embarrassment occasioned by this state of things was to be added that arising from the number of men discharged from the army and the navy. These men, accustomed to warfare, were not disposed to suffer privations quietly, and all their habits prepared them for taking part in the scenes of turbulence which had agitated the country. To remove the difficulties arising from these circumstances was obviously one of the most important, and, at the same time, one of the most difficult problems that could be submitted for legislation; but, in whatever extent the distress of the country might exist, it certainly was not by seducing the poor from their daily labour, and by sowing sedition among the lower orders, that a cure could be obtained. At the end of the last century, when the demand for labour far exceeded the supply, the labourer not only obtained higher wages than formerly, but, comparatively speaking, had it in his power to enjoy luxuries. It was not then surprising that the labourer should severely feel the difference which the change of circumstances had produced in his situation. It was therefore matter of compassion rather than of anger, that men so situated, and necessarily ignorant with regard to great questions of policy, should be disposed to attribute their sufferings to causes quite foreign to the real ones, and should wish to resort to remedies incapable of affording them any relief.—There was another circumstance which distinguished the present from all former periods, and which could not be overlooked in any view of the state of the country—he meant the great diffusion of education. This was regarded as one of the greatest advantages of the present age; but, in making this admission, it must at the same time be allowed, that it afforded an opportunity for the dissemination of dangerous doctrines; and when men in a state of the greatest distress were daily told that all their sufferings were owing to the government, and that its overthrow would relieve them, they must be sanguine indeed who could suppose that the constant inculcation of such doctrines made no impression. This state of things doubtless occupied the attention of government, and he hoped that, in the application of the law to the correction of the evil, a broad distinction would always be made between the deluded and the deluders. It was the indispensable duty of those who administered the government, first to secure the safety of the state and maintain its tranquillity; but, having accomplished that great object, it became next their duty to discriminate between the parties by whom the safety of the state had been endangered.—His majesty had informed parliament that he had received renewed assurances of the friendly dispositions of foreign powers. Their lordships had, therefore, no reason to apprehend any foreign war. Still, however, it was impossible not to perceive that the continent of Europe was far from being in a settled state. In the events which had recently taken place there was a conflict between good and evil; and, upon the whole, they were of a nature which did not permit the statesman or the philosopher to contemplate the result without apprehension.—Their lordships' prayers would doubtless be for the establishment of a well-ordered system of liberty; but if, instead of that, anarchy or civil war should unhappily be inflicted, he trusted that the consequences of such a state of things would not reach this country. While freed from apprehension with regard to our foreign relations, it was satisfactory to be informed, in the speech from the throne, that the country was not to be called upon for any fresh burdens, not even for any thing towards the maintenance of that civil establishment which they were always bound to support in a manner becoming the dignity and honour of the crown. The speech from the throne, while deploring the distress of the country, looked forward to its removal. It certainly was not reasonable to expect that trade should again be carried on to the extent in which it existed during the late war. Our monopoly had ceased, and it was now our well-understood interest, that every nation should have its share in the commerce of the world; and one effect of the peace, he hoped, would be to produce a more equal and liberal reciprocation of commercial advantages.—The great difficulty which opposed the accomplishment of this important object existed in our restrictive laws, the operation of which had been on a former occasion described to their lordships by a noble baron whom he did not now see in his place. Still, however, he was not without hope that some alteration would be made in that system of prohibitions by which commercial enterprise was so severely checked. He was not fond of legislating on such subjects, but he could not help expressing his conviction, that the revival of manufactures would soon be followed by a flourishing state of agriculture; for their interests were inseparable. He should now conclude, satisfied that, while their lordships looked forward to better prospects, and recollected the great examples of the late reign, they would feel the necessity, as members of parliament, of discharging one common duty, by drawing closer the bonds which unite the sovereign and the people. With that view he moved the address.—His lordship then read the address, which repeated, as usual, the sentiments of the speech.

Lord *Howard* of Effingham rose to second it. The noble lord alluded particularly to that part of the speech which related to the distress of the country, and the necessity of protecting the loyal and peaceable against the effect of those principles of sedition and irreligion which led to riot and disturbance, by taking advantage of the irritation which that distress created. It was not strange, he said, that severe distress should be felt, when the fluctuation of our commerce and industry were considered. At one time we had nearly the commerce of the world, and our population was fully employed in branches of industry, either for the supply of domestic or foreign demand. Now that commerce was much reduced by being shared among other nations, and our manufacturers and artisans were thrown out of work. They were consequently reduced to a state of poverty, and became an easy prey to the arts of the designing and the wicked. But, from whatever cause disaffection arose, the peaceable, the loyal, and the industrious, must be protected in their persons and property from its violence. He trusted that, by the firmness of the constituted authorities, the turbulent and seditious would be restrained, and the dissemination of their pernicious doctrines prevented.—Those who had been deluded would, he hoped, then return to their former habits of industry, which would be found not only beneficial to themselves, but conducive to the interest and tranquillity of the state. At the same time it was to be dreaded, that many, who could not plead distress as the cause of their discontent, entertained designs against our constitution which must be resisted and put down, and were making endeavours to realize schemes of government which must be strenuously opposed. The people of this country would never yield to designs of this kind. If their authors endeavoured to intimidate the authorities, and to drive some part of the people to violence, he trusted their designs would be frustrated and destroyed by the loyalty and good sense of the great body of the nation, and that the government, supported by all classes of men, would preserve unimpaired our excellent constitution and invaluable privileges.

Earl *Grosvenor* said, that in speeches from the throne, at the commencement of a new session of parliament, it was generally thought proper to include a view of the system which ministers meant to pursue for the year; and it was a general practice, in those opposed to them, to enter into a discussion or consideration of all the topics so introduced. But on such an occasion as the present, at the commencement of a new reign—when his majesty had been in the House for the first time since his accession—when he had addressed to their lordships his first speech—it was desirable to avoid the introduction or the discussion of any subjects which might lead to a difference of opinion. Although, therefore, he felt, that at other times it was proper to discuss the topics of speeches from the throne, to whatever difference of opinion they might lead, he was glad that such a course was not necessary now. It was in every respect to be wished that the first address to the throne from the first parliament of his majesty's reign should be adopted unanimously; and, to be unanimous, it was desirable that no discussion should be provoked on subjects likely to create disunion. Entertaining this wish, he must give ministers praise for the manner in which they had worded the speech. They had abstained from the mention of any topics that were likely to divide the House. Therefore, as the speech and the address were such as to meet with his general approbation, he should have great satisfaction in saying "content." He could have wished that the speeches of the noble mover and seconder had as studiously abstained from all subjects likely to create a difference of opinion. But it seemed to him, that his noble friend who moved the address had gone out of the natural track of the speech to find topics of difference. He agreed with his noble friend in some parts of what he had said; but from other parts of his observations he entirely dissented. This was not the occasion, however, for the discussion of those points of difference; and the same motive which induced him to wish for unanimity in the address would prevent him from introducing opposition in the debate. He could not, however, let one remark of his noble friend pass, without expressing his dissent from the principle which it implied. He could never admit the truth of the insinuation, that the diffusion of education among all ranks of the community could be dangerous to any, or that a system of education like that followed generally in this country could be pernicious, or could create mischief. Although the speech from the throne alluded only generally to our foreign relations, and mentioned no nation in particular, his noble friend had, in a qualified manner, adverted to the late events in Spain, he could not, therefore let the opportunity slip of expressing, in a more unreserved manner, his great satisfaction at the glorious revolution which had taken place in that country. Knowing that Spain was once a great, an enterprising, and a victorious nation; knowing that its resources had been dried up, and its energies repressed, by the accumulated evils of tyranny, priestcraft, and superstition, and expecting from the late changes a revival of its ancient splendor, he could not but rejoice at the issue of the late events, so creditable to those engaged in them.

The Marquis of *Lansdowne* said, that he looked with sincere satisfaction to the course which had been pursued, and the result to which their lordships were likely to come. For, whether he considered the nature of the topics introduced into the speech from the throne—whether he considered that this was the first time that his majesty had addressed their lordships in this House—or whether he adverted to the various important and painful circumstances connected with the situation of the country, and recent events—he saw abundant reason for wishing as great unanimity as possible to prevail on the present occasion. He therefore solemnly declared that he felt the greatest satisfaction in being able to concur in the speech and the address, and in not being compelled, from duty or policy, to make the least opposition to it. His uniform private sentiment, and constant public declaration, being, that as great a practical retrenchment of our expenditure, and as economical a management of our finances as possible, were the only source of relief to the country—that they would constitute, if not a remedy for the public distress, at least an alleviation of its pressure —that they formed at least a line of conduct, which, whether it sensibly ameliorated their condition or not, the people had a right to expect from their government, out of respect to their feelings—that their rulers could only obtain their cordiality and support by making such endeavours for their satisfaction;—such, he said, being his sentiments, so long cherished and so maturely considered, it was with peculiar pleasure that he saw a disposition to set a noble example from the throne, of that economy which he had recommended — an example which he hoped would be followed as zealously, as sincerely, and as extensively as possible by the king's ministers in all the other branches of the public expenditure. They ought to follow up such an example in the true spirit of it; and, if they did not wish to do so, he hoped that parliament would compel them. By such conduct, by a careful attention to the distresses of the people, and a zealous endeavour to reduce their burthens, the ministers and the legislature would do more to recall them to their duty, to allay their discontents, to secure their obedience, and to ensure their cordial co-operation in maintaining peace and tranquillity, than all the restrictive measures which the House could enact, than all the privations or suspensions of liberty which they could inflict. He had heard with great satisfaction many of the observations of his noble friend who had moved the address, and most cordially concurred in most of them; and, without following him in some of his speculations, he would merely say, that he concurred with him in his prospective system, especially with regard to our foreign relations. These he had truly described as too uncertain in their issue to be the foundation of any distant hope; but he joined with his noble friend in the firm expectation and belief, that nothing which had occured, nothing which was likely to occur, could for some time to come disturb those relations of peace and amity which were so necessary to promote the general interest, happiness, and prosperity of nations, and to heal the wounds which a protracted war had inflicted on Europe. In alluding to Spain, his noble friend who had moved the address, and his noble friend who spoke last, had used language somewhat different. His noble friend who had spoken last called the issue of the late events in that country a glorious revolution, and his noble friend opposite had described the changes going forward as a conflict between good and evil. When he thus described the late changes as painful in their progress and uncertain in their issue, he must remind his noble friend, that this conflict between good and evil was occasioned by the long prevalence of evil; that it was caused by bad government; that the abuses of power led to the necessity of change; and that, if that change was attended with uncertainty and danger, it ought to teach a lesson to sovereigns not to create the necessity, and to subjects not to hazard it unnecessarily. The people of this country ought to learn from it not to run the risk of changes that must be attended with danger, and perhaps followed by despotism; while we enjoyed amid our distresses a great portion of practical freedom, while we had an equal administration of wise laws, and while we possessed a constitution, which, though it might contract blemishes or acquire defects by time and neglect, might by its own operation be brought back to its first principles of purity, without shock or commotion, and which constituted our present happiness and future security. — In that part of his noble friend's speech which referred to another topic connected with our foreign relations, he cordially concurred—a topic which was not adverted to in the speech from the throne, but which his noble friend could not pass unnoticed—he meant a relaxation of our restrictive system as it regarded foreign commerce. He sincerely hoped that our prohibitory system would soon be brought under the view of the legislature. It was a subject which he had much at heart, and which he had often intended to bring forward. That it might now obtain the attention of government and of the legislature, would be to him a solid satisfaction, and, he was convinced, would give satisfaction to the country. But while he thus expressed his expectation along with his noble friend—while he indulged this hope—a hope entertained and indulged by others, it ought to be recollected, that great firmness would be necessary to effect any change—that the application of general principles to our system of commerce must be a work of great delicacy and difficulty—that many partial interests must be encountered as obstacles, and that much immediate and partial distress must be incurred to establish a broad, general, and permanent system of national advantage and commercial freedom. To effect this, nearly as much courage and firmness would be requisite as in encountering the other difficulties of the country. Firmness, however, for that duty, he hoped, would not be wanting in the king's ministers—firmness, he hoped, would not be wanting in the legislature; and he pledged himself, whenever the subject of a relaxation of commercial restrictions—a great relaxation—was brought forward, he would lend it his utmost support. Some inquiry—some step in this important business—could not much longer be delayed; it must come before parliament, and he hoped ministers had made up their minds, as he had made up his. He agreed with his noble friend, that the magistrates of the country had on late occasions discharged their duty manfully, firmly, and ably; and he might add, still more the juries. He was the more induced to mention them with merited praise, as not many months ago it had been said in that House, that they were reluctant to give verdicts; and it had been insinuated that they favoured the bad principles of which they would not authorize the punishment. They had nobly replied to that insinuation. He meant to allude to no particular verdict when he said that they had shown themselves equally unawed by the power of the Crown or the influence of popular feeling. He was the more disposed to mention this circumstance with satisfaction, as on the due execution of the office of the jury depended our civil privileges, the confidence of the middle classes of the people (classes which generally remained, he would say, untainted by those pernicious doctrines which were said to be diffused among them) in the administration of the laws, and the protection of those rights and privileges which, according to the expression of the speech from the throne, " have secured to the British nation the enjoyment of a larger share of practical freedom, as well as of prosperity and happiness than has fallen to the lot of any nation in the world." The noble marquis concluded by giving his concurrence to the address.

The Earl of *Liverpool* said, he hoped their lordships would excuse him if he trespassed on their attention for a short time. After the manner in which the address had been moved by his noble friend—after the speech in which it had been seconded; and after the manner in which the two noble lords opposite had concurred in the address, he trusted he should not be considered as rising on this occasion to detain them for more than a few moments. He could assure their lordships it was not his intention to bring before them any topic which could create a difference of opinion, or which could tend to prevent that unanimity so desirable at the present moment. That unanimity must be desirable to their lordships, from every circumstance connected with the business of the day. This was the first occasion that they had met their sovereign in that House, and it was most desirable that their lordships should be unanimous in going up to him with an address of thanks for his most gracious speech. But when they looked at the tenour of that speech—when they viewed that part where the illustrious individual was personally concerned—he was satisfied they would take that opportunity of going up with the address with unanimity and gratitude for the gracious sentiments which he had expressed. The noble lord who moved the address had well said, that his majesty had that day given a proof of magnanimous disinterestedness in every thing which concerned himself. This was important in itself, as it was calculated to rivet him in the affections of his people; it was important, as it afforded an excellent example to those who were under him—and it was important, as it showed that strict adherence to the principles of economy were to govern his majesty's councils, principles which would afford the best security for the government and the people. In looking at this part of his majesty's most gracious speech, it was a great satisfaction to find that the address was unanimous.—Having said thus much, he did not wish to detain their lordships by going into the other topics which had been noticed in the speeches of the noble earl and marquis opposite; but he was anxious to correct a mistake into which a noble lord had fallen, relative to what had been observed by his noble friend on the subject of the general education of the lower orders. He had understood his noble friend to have said, that general education was a great national blessing, but that, in proportion as it was general, care should be taken that it was guided by sound principles, lest, by a deviation from those principles, that which was calculated to be a blessing might be made a curse and a great national evil.—Of the situation in which we stood with respect to foreign powers he would not then speak, further than to say, that nothing was more important in our present circumstances, or in any circumstances, than that we should be on terms of strict friendship with other nations—that we should adopt a real pacific system in all our relations with those powers. As to what was passing in some of the countries of Europe, though it might be important, it was not, he considered, a fit subject for discussion then. The noble marquis had made an allusion to the state of our commerce with respect to some prohibitory laws which had, for a considerable time, been acted upon, and which at present formed a part of our commercial code. On this subject a great deal more might be said than would be consistent with the discussion of that evening. He did not, therefore, intend to enter upon it. But, though at present he would abstain from it, he could assure their lordships that it was a matter upon which he was by no means indisposed to enter on a proper occasion. It was one to which he and others of his majesty's ministers had given no inconsiderable degree of attention. His own opinions upon it were well known to many most respectable individuals in the city, and he should be prepared to declare them to their lordships whenever a fit occasion offered. At the same time he wished to guard their lordships, and those more immediately concerned, from any delusion on the subject. As to whether more good or more evil resulted from the operation of the present system, he would not now say; but perhaps, in some of the general principles respecting it, he did not differ from the noble marquis, though they might not agree in the minor detail. Not that by this he meant to convey that something might not be done, and some alterations might not be made; but their lordships would admit that it was a subject which should be approached coolly and dispassionately, and that too much should not be expected from its first agitation. There was only one other topic on which he was disposed to trouble their lordships—it was with respect to the administration of the laws, and the distinction which should be made between those who were wilfully guilty, and those who were only deluded by the artifices of others. He hoped it would be found that this was the policy which his majesty's government intended to pursue. He trusted that, in looking at the disturbances which had arisen in places where distress was known to exist, it would be found that, of those engaged in them, there were men, aye, and bodies of men, who had been deluded into those practices, and had not been guilty in the first instance. He hoped, also, that the same feeling which should urge the punishment of those who were really guilty, would induce them to allow for the delusion into which others had been led, and that their lordships would agree in the policy of bringing them back to a sense of that duty from which they had been induced to swerve. The noble marquis had alluded to another and a great subject—the issue of the late trials in several parts of the country. He was unwilling to mix up any topics in the discussion which might detract from the unanimity so desirable on the present occasion; but he trusted he might be allowed to congratulate their lordships on the result of those trials in one respect—on that respect for its laws, which had been evinced by the middle orders. The conduct of the juries had shown, that whatever extent the influence of delusion might have been supposed to reach, that order was still attached to the laws and constitution of the country; they had proved themselves determined to do their duty, and to persist, in spite of violence intimidation, and threats, to bring offenders against the law to the condign punishment which they had incurred by their offences. The integrity of that order was of great importance to all governments; but it was particularly of importance to ours, where, if we had any advantage above other nations, and we had many, the chief advantage was, that the due administration of the laws rested in a main degree upon those who constituted so large a portion of the political society. After apologizing for having occupied so much of their time, the noble earl concluded by congratulating the House upon the prospect of perfect unanimity on the present occasion.

Lord *Holland* said, he was very unwilling to detain their lordships at the present moment, and in the few observations which he should offer he would abstain from every topic which might tend to disturb the unanimity of the House; but if he concurred, as he was certainly disposed to do, in this address, he must not be supposed to pay any compliment to the wisdom and energy of the last parliament, or to retract any thing which had been said on certain subjects by noble lords on his side of the House. He conceived that some of the last acts of the late parliament had been productive of nothing but mischief; and, if there was any improvement visible in the country since then, which he hoped might be found to be the case, it was by no means to be attributed to the operation of those acts. With these reservations he would support the motion.

The address was then put, and carried *nem. diss.*

Petition of the Rev. Mr. Jones.] Lord *Holland* gave notice, that he would take an early opportunity of presenting a petition to the House, affecting in an especial manner the interests of the beneficed clergy. It related, too, very particularly to three right reverend lords in the House. He should be happy to hear from any of the learned prelates, when it would be convenient for them to attend to the subject.

The Bishop of *Exeter* said, that any time would be equally convenient to him.—Lord Holland accordingly fixed upon to-morrow se'nnight; and their lordships were ordered to be summoned.

HOUSE OF COMMONS.

Thursday, April 27.

Address on the King's Speech at

THE OPENING OF THE SESSION.] The Speaker acquainted the House that that House had been in the House of Peers, where His Majesty had delivered a most gracious Speech to both Houses of Parliament, and of which, to prevent mistakes, he had obtained a copy. [See p. 11.] After the Speaker had read the Speech,

Sir *Edward Knatchbull* rose. He said, he should take the liberty of directing the attention of the House to the gracious speech which they had heard, for the purpose of proposing such an address to his majesty as should accord with their feelings of loyalty, and their affectionate regret for the loss of his late majesty; and therefore he hoped, such an address as would be unanimously sanctioned by both sides of the House. In discharging this duty he should have occasion to refer to various topics, and he felt that his best claim to the indulgence of the House would be the assurance that he should not encroach at any great length on their attention. On the present occasion he felt particularly anxious that the address which he was about to propose should be adopted by an unanimous vote of the House. The recent accession of his majesty, and this being the first opportunity he had had of meeting his parliament, were, in his mind, grounds of very considerable weight; and, in the present situation of the country, an address from parliament in favour of its established government was of material importance. When he spoke of the government of the country, he of course did not mean the persons by whom the functions of government were discharged, but the constitution of the country itself. In the address which he was about to submit to the consideration of the House, nothing of a political nature would be found to militate against the attainment of that unanimity which was so desirable. On looking forward to the course which ministers might be about to adopt, he meant not to pledge himself, much less the House, if it should agree to this address, to support any particular measures. He could, with great truth, state to the House, that if, in moving this address, he had considered that he was compromising the principle of any measure that might be afterwards brought forward, he would not have been found to discharge that duty. Before he proceeded to the consideration of the principal points in the speech which they had heard read, it would not be right if he did not advert to the reign which had closed, and to the exalted character of the deceased monarch. At no period had greater events occurred, nor had the nation ever stood on higher ground than during his reign. No doubt there had existed much difference of opinion on the various measures pursued through so long a period of time; nor would he allude to events still fresh in their memories, the mention of which might produce discussion, which, at present, was not desirable. But he was sure that the personal character of his majesty was a source of the greatest satisfaction to the House and to the whole of the nation. During a longer reign than any recorded in the annals of this country, his late majesty evinced an anxious and parental care for the welfare of his subjects, which justly entitled him to the appellation of the father of his people. That his successor, to whom he sincerely wished a long and prosperous reign, would follow so bright an example, they had no reason to doubt. They had heard his majesty that day express his anxiety for the welfare and happiness of his people; and that declaration, he hoped, the House would receive as they ought. He should now call their attention, as briefly as possible, to the principal topics to which his majesty, in his speech, had adverted. And, first, he sincerely congratulated the House on the stability of the friendly connexion between this country and foreign states. After the exertions which we had made, during a long and arduous war, they had heard from the throne the gratifying declaration, that foreign powers were anxious to cultivate the relations of peace with this country. It must be a source of satisfaction both to parliament and to the country at large, to reflect that, after all the sacrifices which we had made, we had secured not only our own independence, but the respect and confidence of foreign nations. The next point of the speech involved a subject which more immediately related to the House of Commons—the finances of the country. They were told, and the assurance gave him great satisfaction, that the estimates for the public service of the year would be speedily laid before the House, and that they had been formed on the strictest principles of economy. They were told that a large military force was still kept up, and that the state of the country did not render it advisable to dispense with those additions which had been made to it in the last session of parliament. In this necessity he also concurred; for he was convinced that the present military establishment was indispensably requisite to the safety of the country. But, whatever opinions might be entertained on this subject, he was sure the House would agree to give that support to government which the safety of the country required. It was, however, the bounden duty of the House to look at the pressure under which the country at present laboured. He spoke as the representative of a large and populous county, and to this principle he looked in supporting the measures of government. At the commencement of a new reign they were called upon to support the dignity of the Crown, as well as to keep up the civil list; and he hoped the House would have no difficulty in assuring his majesty, that they would make the requisite provision for this purpose, especially as his majesty had declared that he resigned entirely to their disposal his interest in the hereditary revenues. His majesty, in making this declaration, had also told them, that no additional expenditure on this ground would be necessary; and this declaration he considered highly satisfactory, not only because it showed his majesty's anxious desire to relieve the burthens of his people by every personal sacrifice in his power, but because it proved that a report which had lately been circulated was destitute of all foundation in truth. He alluded to a report—he knew not with whom it had originated, or from what motives it had been circulated—that in the course of the first week after the meeting of parliament, a large increase was to be made to the civil list. He was happy to congratulate the House on any diminution of the burthens that pressed so heavily on the country; and he was sure that the great reduction which would accrue from the royal establishment being kept at the amount settled in 1816, would give great and general satisfaction. His majesty next told them, with feelings of deep regret, that the machinations of the disaffected had led to open violence and insurrection in many parts of the kingdom; but he accompanied that information with an assurance which they would all be glad to hear—that the attempts of the disloyal had every where been checked, by the prompt and zealous exertions of the constituted authorities. It was painful to find the country in such a situation; but, however they might grieve at the existence of disaffection, the House of Commons of the United Kingdom would not forget their duty; they would bear in mind, that every loyal subject in the realm looked to them for protection. He recollected that an eloquent gentleman had said, in the last session of parliament, that he did not dread a revolution, but an attempt to bring about a revolution. A horrid attempt had been made, but it had providentially failed. It was not a sudden attempt to which the parties were instigated by distress, but a deliberate plan insidiously and wickedly to overthrow the government of the country; and for this event they had endeavoured to prepare the people, by removing from their minds every moral and religious feeling. He was sure his opinion would meet with the concurrence of the whole House, when he said, that this was a state of things which was not fit to be endured, and which every authority in the kingdom ought to repress. But all that had passed was nothing to what might be expected to follow, if the laws of the country did not resume their efficacy, and if the people were not, by that renewed efficacy of the laws, brought back from the errors into which they had been misled. The House had interests to consult beyond those of the present moment. If it was their intention to support the constitution, they must support it by checking the principles of disaffection which had been so industriously diffused. The constitution of this country was a system which imposed on the people no restraints but such as were necessary to the well-being of the community. But if the character of the country was in danger of being changed, and if a system of immorality and disaffection was undermining the fabric of the constitution, it became the duty of parliament to interpose, and apply a check to the growing evil. Before he sat down, he would say a word or two on the distress and disturbance which at present existed. That great distress prevailed could not be denied, but he believed there was no person, especially in that House, who was not anxious to relieve it. Whether that question came before parliament or not, or in whatever shape it came, it was essential to the interests of the country that it should be viewed free from all party considerations. The general interests of the country were involved in the question; and, viewing it in that light, parliament might be able to alleviate or to remove the evil of which all complained. He was convinced, however, that, till the country was reduced to a state of obedience to the laws, every attempt to lighten the public distress must be fruitless and unavailing. The first thing to be done was, to establish that point, and to reduce the refractory to obedience; and, compared with that object, every other was of minor consideration. In alluding to the present disturbances, he meant not to lead at present to any discussion on the subject; but he thought that no man, whatever might be his principles, would deny that it was the duty of that House to compel obedience to the laws. In his apprehension, nothing beyond this point was desirable. It was neither necessary nor desirable to impose any severe restraints on the people, but merely to enforce those salutary laws which were already in existence. He had now fulfilled the promise which he made not to detain them long; and he begged to return thanks to the House for the indulgent attention with which they had heard him. The hon. baronet concluded by moving,

"That an humble Address be presented to his majesty, to return the thanks of this House to his majesty for his most gracious Speech from the throne :—To acknowledge with the liveliest gratitude his majesty's gracious assurance, that he shall always continue to imitate the great example of our late venerated sovereign, his majesty's beloved father, in unceasing attention to the public interests, and in paternal solicitude for the welfare and happiness of all classes of his subjects :—To express the satisfaction that we feel at the prospect of continued tranquillity, derived from the assurances of the friendly disposition of foreign powers, which have been renewed to his majesty, with their earnest desire to cultivate the relations of peace and amity :—To return our humble thanks to his majesty, for having ordered the estimates for the present year to be laid before us, and for the attention to strict economy which his majesty has been pleased so graciously to assure us has been observed in framing them :—To entreat his majesty to believe that we fully participate in the deep regret expressed by his majesty, that the state of the country has not enabled him to dispense with those additions to our military force, which were found necessary in the last session of parliament :—To assure his majesty, that we shall proceed with the utmost readiness to make such an adequate provision for the support of his majesty's civil government, as may be sufficient to maintain the honour and dignity of the Crown :—To express our gratitude to his majesty for the paternal solicitude for the interests of his people by which he has been guided, in the manner in which he has been graciously pleased to bring this important subject under our consideration; and to assure his majesty, that we shall not fail to enter upon it with corresponding feelings of loyalty and attachment to his person and government :—To make our most dutiful acknowledgments to his majesty for the satisfaction which he has expressed at the vigilance and activity of the magistrates, and the zealous co-operation of all those whose exertions have been called forth to support the authority of the laws, by which the machinations and designs of the disaffected, which we deeply regret to find have led, in some parts of the country, to acts of open violence and insurrection, have been happily suppressed :—To assure his majesty, that while we trust that the wisdom and firmness manifested by the late parliament, and the due execution of the laws, have greatly contributed to restore confidence throughout the kingdom, to discountenance those principles of sedition and irreligion which had been disseminated with so much perseverance, and had so poisoned the minds of the ignorant and unwary; his majesty may securely rely upon our continued support in his determination to mantain, by all the means entrusted to his hands, the public safety and tranquillity :—That, deploring as we all must do the distress which still unhappily prevails amongst many of the labouring classes of the community, and anxiously looking forward to its removal or mitigation, we feel it to be in the mean time our indispensable duty, to concur with his majesty in every measure necessary to give effectual protection to the loyal, the peaceable, and the industrious, against those practices of turbulence and intimidation by which the period of relief can only be deferred, and by which the pressure of the distress has been incalculably aggravated: that we concur most heartily in the benevolent wish expressed by his majesty, that an awakened sense of the dangers which they have incurred, and of the arts which have been employed to seduce them, will bring back the far greater proportion of those who have been unhappily led astray, and will revive in them that spirit of loyalty, that due submission to the laws, and that attachment to the constitution, which we are confident subsists in the hearts of the great body of the people, which, under the blessing of Divine Providence, has cured to the British nation the enjoyment of a larger share of practical freedom, as well as of prosperity and happiness, than has fallen to the lot of any nation in the world."

Mr. *Wilmot* rose to second the address, and said, that he did not yield to the hon. mover in the earnest hope which he had expressed, that the House would unanimously agree to the address; and he trusted that no expression would fall from him which could in any degree tend to provoke discussion, or interrupt the unanimity of the House. He would avoid the introduction of any topics which might more properly come under the subsequent consideration of the House; but there was one topic on which he could anticipate the unanimous feelings of the House—he meant the demise of our late venerable sovereign. Looking at the period of his accession to the throne in the prime of life and the pride of hope, and contrasting it with the mournful close of his life, when confined within the precincts of his palace, and bereft of that sense which might have mitigated his afflictions, he was shut out from almost all the consolations which this life affords. Whatever difference of opinion might exist as to the policy of the measures pursued during his reign, every feeling of irritation must subside at the contemplation of so awful an instance of the instability of human grandeur. The recollection of the paternal solicitude with which he uniformly watched over the interests of the people, would secure to his memory the lasting gratitude of the country. His reign, one of the longest in our annals, was distinguished by an event so prominent, as almost to monopolize our attention;—he alluded to the French revolution, an event which might justly be considered as one of the most extraordinary in the history of nations, whether we regarded its origin, its continuance or its termination. It had terminated in a military despotism, which threatened to overwhelm the whole civilised world, but which had been, at length, triumphantly overthrown by the persevering exertions of this country. That great event had occurred in the actual reign of the late monarch, but in the virtual reign of our present sovereign. We had not only the promise of his majesty that he would follow the great example of his father, but we might look back with satisfaction upon its actual performance during the period in which he had exercised the functions of royalty. In adverting to that part of the speech which related to the finances of the country, he felt assured that the House would convey to the throne its gratitude for his majesty's renunciation of his hereditary revenues, and for the principle of strict economy which dictated the arrangement of the civil list. Without entering into a review of any of the measures of the last session, he might express his confidence that the present parliament would be most anxious to support the dignity of the Crown, and the safety of the state, without reference to past transactions. He deplored deeply the distresses still prevailing in various parts of the country, but he deplored no less the advantage that had been taken of inevitable visitations to corrupt the minds of the lower orders, the effect of which could only be to augment sufferings that might otherwise be alleviated. He trusted that the time was not far distant, when the influence of temporary irritation would be removed; and that as soon as existing delusions were dispersed, the disaffected would return to their duty. He could not avoid here referring to the opinion of a most distinguished individual (the late Mr. Burke), whose sentiments upon this subject seemed to partake of the spirit of prophecy; it was uttered in 1791, and was in these words:—"As long as by every art the disaffected keep alive the spirit of disaffection against the constitution of the kingdom, and attribute, as lately they have done, all the public misfortunes to that constitution, it is absolutely impossible that some moment should not arrive when they will be able to produce a pretended reform but a real revolution." What was here said generally might perhaps be applied particularly to the constitution of the House of Commons: for what good could result from the attempts to vilify it? Without entering into any of the questions of reform, and without pledging itself in favour of the abstract projects for its improvement, he was well assured that the House would stand by the constitution, would do all in its power to instruct the public mind, and, by removing existing delusions, establish that national prosperity which was compatible with the present state and formation of the House of Commons. He never could believe that principles of sound political economy could have a fairer chance in a body collected merely to obey the will of the people, and compelled to abandon one course of policy for another at the command of the people, than in a body constituted like that which was now assembled to promote the national prosperity. He was convinced that the House would give the present state of the country its most anxious attention; but he should be merely aiding the prevailing delusions, if he expressed any opinion but that the distresses could only be removed by the slow but certain process of time, which would invigorate the great sources of wealth, for a moment in some degree exhausted. Notwithstanding unfavourable appearances, there was every reason to anticipate that at no distant period the real and practical blessings of peace would be enjoyed by the whole people. The prosperity and happiness of the community at large, depended upon its sobriety and industry, and he trusted that a conviction of this truth would soon supersede the false and injurious notions at present prevailing among a great body of the manufacturing classes. It was not less his sanguine hope that the unanimous opinion of the House on this subject would have the speedy effect of checking and repressing disorders. In reviewing therefore the various topics of the royal speech, he should be extremely unwilling that any thing should drop from him that might for a moment retard the state he was anticipating: he did not mean to pledge himself against any kind of amelioration or reform, but he protested against the supposition, that the lower class or any class of the community could be benefitted by a general and sweeping alteration of the constitution. The nation was blest with a system of civil polity the most perfect of any age or country, and he believed that the great mass of the people duly estimated it: if the inferior orders, in the manufacturing districts, were once convinced of its benefits, much of the power of the agitators would be destroyed for ever. He concluded by thanking the House for the patience with which he had been received.

Mr. *Tierney* said, he was not disposed to quarrel with a great deal that had fallen from the hon. mover and seconder; on the contrary, he agreed with them entirely upon some points; and if at all times he felt it unnecessary to bring forward matter of difference where none was offered on the other side, he should be peculiarly unwilling to do so on the present occasion, when the first speech of a new sovereign was before the House. The fair, cool, and temperate tone of the hon. gentlemen who had just taken their seats, formed another inducement for him not to express any dissent; or, supposing the speech from the throne had contained any particular phrase, ambiguous or liable to misconstruction, what they had said on the various points would probably have rendered explanation needless. He congratulated the House on the prevailing unanimity; he hoped it was an earnest of the future, and that all parties in the House would unite in the expression of unshaken loyalty to the Crown, and of a firm determination, while the true liberties of the people were supported, to set themselves honestly and steadily against those machinations alike directed against the happiness and security of the sovereign and his subjects. In that direction he would go as far as any man; and beyond that, happily, on the present occasion, it was not necessary to say more. He therefore again congratulated the House on the favourable auspices under which the new session was commenced.

Sir *Francis Burdett* said, that he should be very sorry if he were supposed capable of showing any disrespect to the throne, by disturbing the unanimity so desirable on the present occasion. He should certainly be reluctant to do so for the reasons already stated; but he could not at the same time avoid observing, that for some few years past the House had been placed in rather an awkward and disagreeable predicament with regard to the speeches from the throne. Formerly it was expected that they should be a full and fair statement of the whole situation of the country, instead of being frittered away, as at present, into mere matters of form and compliment, in which gentlemen might or might not concur according to the state of their own feelings, and the respect which all ought to feel towards the person of the sovereign, but a non-concurrence in which need not be intruded upon the House when all questions of state policy, and all general principles involving the conscientious opinions of individuals, were so carefully avoided. He could not help thinking that an extreme want of courtesy had been shown by the executive government in not pursuing the wholesome practice of former times—he believed from the Revolution downwards. It might be considered a privilege, and a very important privilege, of the House, that the tenor and nature of the king's speech should be made known to the members on the day before it was delivered from the throne. The custom used to be, for members to attend in the cockpit, where the speech was read; it thus formed the topic of thought and conversation on the evening anterior to the meeting of parliament. By this means gentlemen were able to attend in their places after they had given due reflection to the great topics that ought to form, and then did form, the main features of a speech from the throne. To be called upon, however, to agree in whatever sentiments the minister of the day might think fit to put into the mouth of the king, more especially in the present state and circumstances of the country, was most extraordinary: it was calling upon the House to do a little more than its duty enjoined. In loyalty, and in a love for the constitution, he would yield to no man; he also felt an unfeigned respect for the sovereign: but surely it was a little too much to expect, that, on the first showing of the minister, he should be prepared to say, that he concurred in the various parts of the royal speech. On the spur of the moment he should not like to enter into a consideration of it; nor, by so doing, should he think that he discharged his duty either to the people or to the Crown. When a younger man, and when first this new practice was introduced, he had proposed on one occasion that the consideration of the speech should be adjourned to the following day: in the present instance, however, he should be sorry even to make that proposition; but he begged, while he consented to the compliment on the commencement of a new reign, to guard himself against being supposed to concur in any of the sentiments of the address, excepting those of congratulation and condolence—in short, in any thing that was not matter of mere and absolute form. He protested therefore, generally against being precluded on any future occasion from stating where he differed, and on what grounds he differed: indeed, one or two points were so prominent, that but for the respect he wished to evince on the opening of a new reign, he should have felt imperiously called upon to notice them; he should, however, reserve his remarks upon them until a future occasion, when they should be brought forward in another shape, and should not disturb the unanimity which it was his wish, as well as that of the House, to preserve.

The Address was agreed to *nem. con.*

HOUSE OF COMMONS.

Friday, April 28.

THE MARQUIS OF HASTINGS'S ANSWER TO THE VOTE OF THANKS.] The Speaker informed the House that he had received a letter, dated Calcutta, October 6, 1819, from the marquis of Hastings, which, with the permission of the House, he would then read.

"Sir; "*Calcutta, Oct.* 6, 1819.

"I have to acknowledge the honour of your letter, conveying to me the high distinction of thanks from the House of Commons on the issue of the campaign in Central India.—So proud a reward is very gratefully received by me, although the terms confine the approbation to my military management. I would fain assure myself the honourable House could not but be satisfied that the endeavour to extinguish the Pindarries was imposed on this government by the most direct necessity; that the contest with the Mahrattas, though guarded against as a risk involved in the other undertaking, was altogether unsought by us, and that the events distinctly prove there could have been no previous plan for extending the honourable Company's territories in deviation from the expressed judgment of the legislature.—Sensible as I should still have been to the generosity of the House of Commons in discriminating and noticing favourably my professional exertions, I could secretly have cherished little pride in the honour, had I felt myself open to the imputation of having wilfully entailed war by indulging a perverse or illicit policy: but I most respectfully venture to rest upon the opinion of the honourable House as to my not having forgotten, in a case of exigency, the spirit of the rules prescribed to me, and what was due to the character of my country.—I have notified to lieut.-general sir Thomas Hislop, to the other general officers, and to the troops employed in the campaign, the approbation which the House of Commons has been pleased to express of their services. The gratitude with which such a testimony of satisfaction from the honourable House will be received can be confidently asserted by me.—The obliging terms which you personally have had the goodness to add, in communicating the resolutions to me, are truly flattering to me; and I have the honour to remain, &c. HASTINGS."

BOROUGH OF GRAMPOUND.] Lord *John Russell* gave notice of a motion for leave to bring in a bill to disfranchise the borough or Grampound, and to transfer the elective franchise to the borough of Leeds. He also begged leave to say, that in the course of the session he intended to submit to the House a motion for shortening the duration of sir M. Lopez's imprisonment.

EDUCATION OF THE POOR.] Mr. *Brougham* gave notice, that, at an early period after the Whitsuntide holydays, he should submit a motion relative to the education of the poor. Although he was aware that it was irregular to enter into any explanation on rising merely to give a notice, yet he trusted the House would allow him to observe, that the delay which had already occurred was owing to any thing rather than to his being less sensible than formerly of the importance of education. On the contrary, the events which had lately occurred had rather strengthened his conviction of the indispensable necessity of imparting education to the poor. One cause of the delay which had taken place was, that the Education Digest, on which the measures which he should have to propose would be founded, could not be sooner prepared; and it was desirable that it should be in the hands of members before the question was brought under discussion. Another reason for his not fixing an earlier period was, that the discussion of the civil list, incident to the commencement of a reign, would occupy the attention of the House for a considerable time, and it was desirable that the discussions on these two subjects should be kept separate. Longer, however, than till after the holydays, he could not consent to postpone the consideration of this important question.

CATHOLIC QUESTION.] Sir H. Parnell rose to give notice, that on Thursday, the 11th of May, his right hon. friend, the member for Dublin (Mr. Grattan), would submit to the House a motion for the removal of the disabilities which the law at present imposed on his majesty's Roman Catholic subjects.

REFORM IN PARLIAMENT.] Mr. Lambton rose to renew the notice which he had given in the last session of parliament of his intention to bring before the House the present state of the representation; and he now gave notice that he should submit a motion on that subject on Tuesday the 6th of June. As far as he could judge, that arrangement would not interfere with the other business of the House.

SCOTCH REPRESENTATION.] Lord A. Hamilton gave notice, that he meant to bring before the House the question of the Scotch representation; and, to keep clear of the time just fixed on by his hon. friend, he should bring forward his motion on the 24th of May. He also gave notice, that on Thursday next he should move for the revival of the committee on the Scotch burghs.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] Sir E. Knatchbull brought up the report of the Address on the King's Speech. Upon the motion, that it be read a second time,

Lord *A. Hamilton* said, that it was not his intention to trouble the House at any length, but he could not allow the present opportunity to pass without impressing on the minds of the right hon. gentlemen opposite the necessity of attending to the distress of that part of the country with which he was connected. When the House recollected that fourteen or fifteen weeks ago the commerce and manufactures of the country had been represented to be in a most flourishing condition, and when they compared that declaration with the statements in the Speech delivered yesterday from the throne, they must all be struck with the sudden change which had taken place in the aspect of the country; and he, for one, should not think that he discharged his duty conscientiously, if he did not on the present occasion suggest what he conceived might be applied in mitigation of the evil. They would all remember that a sum of 50,000*l.* had been voted last year for the purpose of promoting emigration to the Cape of Good Hope; and the object of that grant was, undoubtedly, that which the House and his majesty's ministers ought to have in view—the alleviation of distress. There were in that House many honourable members who were as well acquainted as he was with the present situation of the distressed part of Scotland, and particularly his hon. friend opposite (Mr. Finlay), whose connexion with Glasgow led him necessarily to know the state of that part of the country; and he was sure it must be their opinion, that if ministers meant to assist those who were disposed to emigrate, they ought to give that assistance immediately. Many persons in that country were in such an absolute state of destitution, that they looked on their existence as a burthen which they could scarcely support. They could neither maintain themselves nor their families; and the period was fast approaching, when without food and without raiment, they must either perish, or prolong their existence by the plunder of their neighbours. He could not, therefore, let this opportunity pass without urging on ministers the necessity of turning their attention to the deplorable state of things; and, if they seriously applied their minds to the subject, they would not only be conferring a benefit on the sufferers, but would be taking the most effectual means of suppressing that disturbance of which they complained. He must say, that, from the spirit and temper of ministers, they seemed to have greatly under-rated the distress which at present existed in the northern part of the kingdom. They had ascribed a larger portion of the disturbance to disaffection than to distress, and had applied force to quell disturbances which would have been more effectually suppressed by furnishing the means of subsistence. The right hon. gentlemen opposite were more willing to facilitate emigration to the Cape of Good Hope than to any other quarter of the world: and the reasons for this preference he could not perceive, especially as most of those who were inclined to emigrate from Scotland had powerful reasons to induce them to go to our settlements in America, rather than to Africa. He begged to call on his majesty's ministers to say what part of the money which had been voted last year for the promotion of emigration, had been applied to that purpose; how many persons had availed themselves of the offer of government; and what had been the result of the plan, as far as it had been adopted. He concluded by observing, that any delay in the application of a remedy to the evils which he had pointed out would not only be disastrous in itself, but would render more difficult the attainment of that ultimate object which ought to be kept in view—the suppression of the present disturbances in Scotland.

The *Chancellor of the Exchequer* stated, in reply to the questions of the noble lord, that the expense already incurred considerably exceeded the 50,000*l.* which had been voted by parliament for the encouragement of emigration, though all the charges had not yet been defrayed. As to the number of those who had availed themselves of this assistance, he had to inform the noble lord, that upwards of 5,000 persons had already gone to the Cape of Good Hope; and, when the last accounts were received from them, they had performed part of the voyage in good health, and had the prospect of terminating it prosperously. When the noble lord recommended North America as a preferable place for emigrants to resort to, he apprehended the noble lord was not aware of the representations which had been received from that quarter. In America the greatest distress at present prevailed, and the manufactures of that country were in as languishing a state as those of our own. To send the destitute to that quarter would be, therefore, only to shift the scene of distress, and to transport them to poverty on a foreign shore. The British provinces of America were also so overloaded with emigration, that the strongest remonstrances had been made on the subject by the government of Canada. It proved a great grievance both to the government and the people; and, under these circumstances, he thought it would be highly premature to adopt any plan for the promotion of emigration to that quarter. His majesty's ministers were not reluctant to assist those who were distressed at home in looking for a happier lot on any foreign shore; but such a measure should not be hastily or prematurely adopted. With regard to farther emigration to the Cape of Good Hope, government wished, in the first place, to learn the success of those who had already gone out, before they encouraged any farther emigration to that settlement on a more extended scale. He hoped the House and the noble lord would do his majesty's ministers the justice to think that they did not feel any reluctance to assist the distressed part of the population in seeking that comfort on foreign shores which circumstances prevented them from enjoying at home, though they might not appear so forward as some expected in tendering that assistance.

Mr. *Finlay* agreed with what had been stated by his noble friend respecting the distressed state of the country; and when the right hon. gentleman stated that only 5,000 persons had gone to the Cape of Good Hope, the House would see that by the regulations adopted it had been impossible for the distressed population to relieve themselves. It was impossible for them to pay any sum of money, however small; and therefore, if the means of emigration were not granted unconditionally, and as a boon, he feared they could not avail themselves of the opportunity afforded. He believed his noble friend was in possession of many communications, as he himself was, from persons who, though perfectly willing to emigrate, could not transport themselves, being destitute of all means whatever. He was confident that the subject required only to be brought forward by government in such a practical manner as to engage attention, and that a sum of money, comparatively small, would be productive of great benefit, since those who were removed would not only be relieved themselves, but would relieve those to whom they were at present a burthen.

The Address was agreed to *nem. con.*

DROITS OF THE CROWN AND PRIVY PURSE.] Mr. *Tierney* said, he could not help observing, that the papers before the House seemed to be all very clear, with the exception of the sum of 385,000*l.* The allowance to the privy purse, it was known, was 60,000*l.* per annum; but, over and above that allowance, there appeared to have been, during the late reign, an excess of 385,000*l.* He would thank the right hon. gentleman to explain this matter.

The *Chancellor of the Exchequer* observed, that it had been from time to time the practice of parliament, that certain monies, arising from particular colonial funds, should be added to the privy purse. But the right hon. gentleman would see, that this total of 385,000*l.*, as taken upon the long reign of his late majesty, was little more, upon an average, than 6,000*l.* a-year.

Mr. *Tierney* knew that the allowance of 60,000*l.* for a privy-purse was vested in the Crown by parliament. But this case was entirely different; for, with respect to the privy-purse, it had been thought fit that the king should have a sum at his absolute disposal, for whatever purposes he thought proper; and no doubt this was extremely fitting. This sum had been limited to 60,000*l.*, and it was placed beyond the control of the House, and not subject to any other curb than his majesty's own discretion. But this excess was stated to have been added out of funds whose application should be matter of parliamentary direction, and for which ministers were responsible. He must again ask, how this addition was to be justified?

The *Chancellor of the Exchequer* said, that such had been the immemorial usage.

Mr. *Tierney* wished to know, whether they were to understand that the funds of the Crown might be enlarged in this manner by his majesty's ministers? If not, how did it happen that this 6,000*l.* a-year, or aggregate sum of 385,000*l.*, had been so added to a specific provision made by parliament for the privy purse? How did it happen that no account was rendered, by which it might appear that about 6,000*l.* a-year was yearly carried to the increase of that purse in the way mentioned by the right hon. gentleman?

Mr. *Hume* was very anxious to know what the colonial funds in question were.

The *Chancellor of the Exchequer* said, that it was impossible to give a specific account of such appropriations, occurring in the earlier years of so extended a reign, although it might be in his power to show in what manner they had been made during the latter part of it.

Mr. *Tierney* said, that the excess of 385,000*l.*, for any thing he saw upon the face of those papers, might have accrued in one year instead of sixty years.

Mr. *Brougham* said, that upon the subject of the civil list it might be matter of convenience to the House to understand when it would be brought forward. He deeply regretted that it was one which was not to remain in the hands of hon. gentlemen opposite. He did hope that those hon. gentlemen would have submitted the matter to the consideration of parliament; and from them he considered it would most properly and most effectually have come. It appeared, however, that the fact would prove otherwise; and therefore, in order to redeem the pledge he had given in 1812, and because others would not, he should himself bring it under their notice. If they would not come forward and move the House to take away this fund altogether, and vest it in parliament, as it ought to be vested, and as all other public funds of this nature were vested—if they would not support a proposition to give to the Crown a moderate compensation for it, he now begged to say, that he would bring the question befor them upon Thursday next; and as it was material that the motion should come forward before the other propositions, he could wish it to be understood that it should have precedence of the other business. The House were aware that they were about to discuss how much should be the allowance to be made to the Crown. Now, since he should have to propose that something should be taken away from what the Crown already had, *non constat* that that circumstance might not move them to increase, *pro tanto*, the rate of that allowance.

Revenues of the Crown.] The following account was laid on the table of the House by his Majesty's command.

An account of the total produce of all Funds at the disposal of the Crown, and usually deemed not to be under the immediate control of Parliament, since the accession of his late majesty; distinguishing the monies arising from droits of the admiralty, and droits of the Crown; 4½ per cent West-India duties; Scotch revenue; and from all other sources not hereinbefore specified; so far as the same can be ascertained.

	£.	s.	d.
An account of the droits of the Admiralty and droits of the Crown, from 1760 to 1820 ……………	9,562,614	4	6½
The application of this sum in rewards to captors, and payments to claimants, and in aid of the public service, and of the civil list, and for other purposes, is to be found in the accounts which have from time to time been laid before Parliament.			
An account of the four and half per cent West-India duties, from 1760, to 1820.	2,116,484	0	0
This revenue is charged with the salaries of the governors and various other public officers connected with the West Indies, and also with the payment of pensions granted by the Crown; as appears in the accounts laid from time to time before Parliament.			
* An account of the surplus of Gibraltar, revenues, remitted to England from 1760 to 1820, after discharging garrison expenses ……………	124,256	10	7
* An account of the surplus of Scotch Civil List, from 1760 to 1820, now appropriated as it may arise, under the act 50 Geo. 3rd, c. 3. in aid of the Civil List in England ………………	207,700	0	0
* An account of the Escheats to his majesty in cases of illegitimacy or otherwise, from 1760 to 1820 ………………	214,647	15	0
* An account of the Escheats to his majesty, being the property of Alien enemies, from 1760 to 1820 ……………	108,777	17	8
* An account of the funds arising by sale of lands in the French West India islands, ceded at the peace of 1763 ……………	106,300	0	0
* An account of the revenues arising from the islands of Minorca, Martinique, St. Croix, and St. Thomas, and from the settlement of Surinam, while the same were in the possession of his majesty ………………	150,816	0	7
* An account of the casual revenues arising from quit rents, &c. in the British colonies, and from all other sources not before enumerated, from 1760 to 1820 ………………	104,865	3	2½
	£.12,705,461	11	7

* The whole of these sums have been appropriated at various times in discharge of the debts of the civil list, and to other public purposes, as will appear by the reports and accounts laid before parliament; with the exception of 385,000*l.*, which sum was applied between his majesty's accession and the year

1820, in numerous payments, for the purposes of the privy purse, as directed by his majesty.

Charles Arbuthnot.

Whitehall, Treasury Chambers,
April, 28, 1820.

HOUSE OF COMMONS.

Monday, May 1.

The King's Answer to the Address.] The Speaker reported his Majesty's Answer to the Address, as follows:

"Gentlemen; I return you my warmest thanks for this loyal and dutiful address. It gives me the utmost satisfaction to receive these assurances of your veneration for the memory of my beloved father, and of your attachment to my person and government, on this first occasion of my meeting you in parliament since my accession to the throne; and I shall rely with confidence on your support in my endeavours to promote the welfare of all classes of my people, as affording, under the blessing of Divine Providence, the surest pledge of a prosperous and happy reign."

The *Chancellor of the Exchequer* said, he had searched the Journals of the House, and had found two precedents in former reigns wherein it had been the practice of the House to return thanks for the royal answer to the address presented to the throne by the first parliament of a new reign; therefore as hon. gentlemen had now heard read from the chair the most gracious answer of his present majesty, he should move "that an humble address be presented to his majesty returning the most humble thanks of this House for his most gracious answer to the address; and that such address be presented to his majesty by such members of this House as were members of his majesty's privy council."—The motion was agreed to.

Weights and Measures.] Mr. *H. Sumner* adverted to the great inconveniences under which the county of Surrey laboured, owing to the varying and uncertain state of weights and measures. He said that the city of London had formerly felt the great inconvenience and disadvantage of a similar state of things, and conceived that, acting under their own authority, they were capable of subdividing the standard measure in the Exchequer, and and of making those subdivisions the standards of weights and measures within their jurisdiction. Now, the county of Surrey having no means of obtaining that standard exchequer measure, took its own standard from that of the city of London, and nothing could be executed with more apparent accuracy than these weights and measures of the county were. But the county was immediately convicted for having so done, and now laboured under the state of one using weights and measures no longer established by law; the consequence was, that the public were liable to be defrauded to any excess without any possibility of redress. At the time when he first brought this subject under the notice of parliament, he gave notice that he should move for leave to bring in a bill in order to remedy so great and manifest an inconvenience; but the chancellor of the exchequer, on that occasion, seemed to wish that he should suspend such a measure, seeing that a committee had been already appointed to inquire into matters of this kind; and to intimate, that some general bill relative to weights and measures would be introduced by his majesty's ministers. Thus the case had stood two years; and though he was perfectly aware that the labours of the committee had been greatly retarded in consequence of investigating new specimens of bank notes, yet he thought it time that some definitive information on the subject should be afforded: and his object in now rising was to ask the chancellor of the exchequer whether the labours of that committee were concluded, or whether in consequence of their investigation it was his intention to introduce any general measure relative to establishing a standard of weights and measures.

The *Chancellor of the Exchequer* was not entirely prepared to answer the question of the hon. gentleman. The subject was one which had long occupied the attention of his majesty's ministers. He was quite aware of its importance, but he apprehended that no general meausre could be brought in during the present session; some preliminary steps, however, might be taken.

Courts of Justice in Scotland.] Mr. H. Clive laid on the table a number of papers and reports connected with the commission to inquire into the receipt of fees, &c. in the courts of justice in Scotland. He moved they should be printed.

Lord *A. Hamilton* begged to be informed whether it was true that a new appointment had taken place, or was about to take place; namely, that of a fourth baron of the exchequer in Scotland? He saw, with regret, that no respect whatever had been paid to the suggestion of the committee, relative to the diminution of judicial expenses, nor any one earthly measure adopted in favour of the public as regarded the decrease of its burthens. He asked, therefore, whether such was the intention of ministers in the event of a vacancy?

The *Lord Advocate* replied, that the appointment had already taken place several weeks ago.

Lord *A. Hamilton,* after this information, should feel it his duty to bring the subject before the House; but at present he was not prepared to say whether he should do so by moving for a copy of the appointment, or for a vote of censure upon the adviser of such an appointment.

The *Lord Advocate* had no doubt but that he should be able to satisfy the House of the propriety of any measure of this sort which had been adopted, whenever the period arrived for its discussion.

Sir *John Newport* was exceedingly anxious that his noble friend should bring this motion under discussion, either by moving for a copy of the appointment, or by any other mode of proceeding which he might think proper. He greatly lamented that not one step had yet been taken to realize the suggestions of many of the most intelligent members of that committee.

Mr. *Brougham* wished to ask the learned lord one question about the filling up of an appointment. The learned lord had once in his place remarked, that some officers of the jury-courts of Scotland being thought necessary, their appointments could not be filled up until parliament met. In consequence, however, of their having discovered a very gross transaction, which he would not characterize in the language that it deserved, it appeared otherwise. Had an additional number of judges of the jury-courts been really appointed? For the transaction he spoke of was really one of the most outrageous and gross jobs that ever had been done.

The *Lord Advocate* was not cognizant of the particular transaction to which the learned gentleman alluded; but it was in consequence of express representations that the business of the judges of the jury-courts had so much increased, that their office could not be carried on without an addition to their number that that addition had been made.

Mr. *Brougham* was not at all surprised that the judges of the jury-court, as parties in the case, should have recommended the addition; and he grieved that an hon. and learned friend of his was at that time a member of that very court. He pledged himself, however, to prove, that a grosser job, a more palpable job, or one more outrageous to the feelings of a burthened public, had never been transacted, even in Scotland.

Lord A. Hamilton then gave notice, that he should move for a copy of the appointment on the 11th of May.

HOUSE OF COMMONS.

Tuesday, May 2.

Steam Engines and Furnaces.] Mr. *M. A. Taylor* said, it was in the recollection of many members, that during the session preceding the last, he had moved for a committee to inquire into the practicability of erecting steam engines and furnaces in such a manner as to relieve the places in which they were erected from the intolerable nuisance which their intense smoke had so generally produced to the health and comfort of the population of large cities and towns. That committee had been granted to him, and their report was in the possession of the House. If gentlemen would take the trouble of attending to its suggestions, they would find substantial reasons to be satisfied that such a very desirable improvement could be both easily and promptly effected. From the manner in which these furnaces were erected, and increased as they were in number, London, Manchester, Liverpool, Birmingham, and other extensive cities and towns, were almost become uninhabitable [a laugh]. Gentlemen might laugh at the term, but he contended it was strictly true, as the persons engaged in business in these towns were actually compelled to guard the health of their families from the deleterious effects of the ebullitions of smoke issuing from those furnaces, by removing to hired houses at a distance from the place of their avocations. The whole of these dense ebullitions of smoke, which made the air of large places so unhealthy, and propagated fever and disease, principally arose from the furnaces as they were at present constructed. That such an evil could be corrected, and corrected without injury to the persons engaged in business connected with these steam engines, he was certain he could convince both the House and the country. He had only to refer to the manufactory of Mr. Parkes at Warwick, where the experiment had been made most successfully. He had himself gone to Warwick for the purpose of seeing it, and the result had more than satisfied his most sanguine expectations. In that manufactory there were three furnaces, all of which were constructed so as to consume their own smoke, and he could add that these furnaces were constructed at as small an expense as those generally in use, and that they were worked with a less consumption of fuel by one-fourth. If, on entering Mr. Parkes's establishment any gentleman was asked to point out the position of the great furnaces, he would be at a loss to discover them, so efficiently had the experiment been carried into practice. There was not more smoke from these furnaces than from a common chimney. In order to be fully satisfied, he himself, at his visit, endeavoured to create a smoke, but was unable. Within ten yards of the manufactory was a bleaching ground, and an extensive garden; and he need not add, that neither bleaching nor planting could succeed in the vicinity of the ordinary furnaces. The garden and conservatory of Mr. Parkes were also uninjured; in short, he would defy any gentleman to go to the place as he had done, and not to return with a conviction that there was ample ground for the present motion. At a distillery within about a mile of that House, beyond the penitentiary, the smoke was nearly, but not entirely, consumed; and the owner had readily shown the mode in which the effect was accomplished. If it should be discovered, as he had no doubt it would be, that the remedy was generally applicable, every man would be glad that some compulsory law should be adopted for the preservation of the health and comfort of the metropolis. So fully satisfied was he upon the subject, that he would never cease until the object were accomplished, and he trusted that others would be stimulated by his example. He would appeal to the hon. members representing that part of the country, as to the state of the atmosphere in Manchester, Liverpool, and Birmingham. From the Speaker's house the ebullitions of smoke were constantly discernible: in Bridge-street, Blackfriars, small furnaces were erecting, to the great annoyance of the inhabitants, and gentlemen who had attended the courts at St. James's must have often found it difficult almost to recognize their friends through the dense atmosphere occasioned by the great brewery at Pimlico. The same, or nearly the same, might be said of the Cannon-brewery, in the vicinity of Hyde-park. He could refer to his hon. and learned friend near him for his authority, as he accompanied him when he visited Mr. Parkes's manufactory at Warwick. At present, his intention was to move for a select committee to inquire into the practicability, and if their report, as he had no doubt it would be, was favourable, it would be his next step to propose a declaratory law, making the present construction a nuisance, and, of course, subject to the same legal prosecutions as other nuisances. He concluded with moving, "That a Select Committee be appointed to inquire how far it may be practicable to compel persons using Steam Engines and Furnaces in their different works to erect them in a manner less prejudicial to public health and public comfort, and to report their observations thereupon to the House."

Mr. *Denman* seconded the motion, and bore his fullest testimony to the facts stated by his hon. friend, as to Mr. Parkes's manufactory at Warwick. He had seen three furnaces at work, and not the slightest appearance of smoke. He had no doubt that the public knowledge of the thing would of itself be sufficient to introduce the improvement into general practice, without the necessity of recourse to a declaratory law. He paid a high compliment to Mr. Parkes, for the merit of this important invention, which was remarkable for its simplicity. Of its successful result the public would soon have an opportunity of judging, by means of its introduction into the brewery of Messrs. Barclay and Co., and into other establishments in the metropolis. The country, he said, was much indebted to his hon. friend for bringing such questions before the legislature.

Sir *C. Mordaunt* had also seen the manufactory of Mr. Parkes, and had admired the ingenious and at the same time effectual method in which the desirable object was accomplished. It would, he was satisfied, be generally adopted as soon as it was generally known.

Mr. *Mills*, from his own personal observation, confirmed all that had been said in favour of the invention of Mr.

Parkes. He was persuaded that it would be most advantageous to the country at large.

The motion was then agreed to.

STAGE COACH DRIVERS.] Mr. *M. A. Taylor* said, that the subject to which he had now to draw the attention of the House was one of serious importance. The House was no doubt aware, that, excepting in cases where death ensued, under the present law, a stage-coachman who drove furiously, to the imminent hazard of life and limb, could scarcely be punished at all; where a coach was overturned, and the passengers were so injured that death was the ultimate consequence, the punishment upon the proprietors was only a fine of 10*l.*, which might be mitigated to half the amount. Whatever might be done to improve the forms of stage-coaches, nothing could be effectual in diminishing the prevailing evil until the law applied more severely to the driver. By the measure he intended to propose, he did not mean at all to invade the common-law right of a passenger, who had received a personal injury, to proceed by action against the proprietors, but merely to inflict corporal punishment upon the drivers, in cases of wilful and culpable negligence or misconduct; in short, that a driver might be indicted as for a misdemeanor, and punished by fine and imprisonment. He moved for leave to bring in a bill "for punishing criminally, Drivers of Stage Coaches and Carriages, for accidents occasioned by their negligence or misconduct."—Leave given.

INSOLVENT DEBTORS BILL.] Lord *Althorp* moved for leave to bring in a bill to amend the Insolvent Debtors act. In the present stage he should only advert to two leading distinctions from the present bill which he intended to introduce; the first was, to empower commissioners out of court to inquire into the affairs of the debtor: and the second was, to grant creditors the power of compelling reluctant debtors, when imprisoned, to be released by the act.

Mr. *Lockhart* wished that the subject should be treated upon as extended a basis as possible, and that provision should be made against a class of prisoners who had formerly taken the benefit of the act, though it was not intended for their relief; he meant those who were confined in consequence of actions for damages, having inflicted upon their fellow-creatures severe personal injuries. He could not help observing that, as the case stood at present, persons were brought up and examined in a very slight degree only by the court; and if no one appeared against them, they were discharged. It frequently happened that, by this course of proceeding, many were discharged who were little deserving of the benefit of the act. The creditors found that they had lost a great deal of money already; and were unwilling, by appearing, to lose more, besides the sacrifice of much trouble and time. In making these observations, however, he did not mean to advert to the situation of those debtors who now crowded our prisons, and who had been led to expect relief under the enactments of such a bill as that passed during last session. He was very willing that they should take their discharge under it, in the best way they could.

Leave was given to bring in the bill.

CATO STREET CONSPIRACY—GEORGE EDWARDS.] Mr. Alderman *Wood* said, that the question which he now thought it his duty to bring under the consideration of the House was one of the greatest importance, and particularly to the House itself. He might be wrong in the course which he had proposed to himself to pursue; but if he was, the Speaker would no doubt instruct him what was the proper mode of bringing the matter forward. He repeated that he considered it as one in which the House was most deeply concerned. He had come to the determination of treating it as a breach of privilege; and would here very briefly state what were the facts. Seven persons had recently applied to him, in his official capacity of magistrate, for a warrant to take up a man stated to be then resident in Fleet-street, whose name was said to be George Edwards. He immediately went into a private examination of those individuals, with the assistance of a most able and worthy brother magistrate (sir W. Domville). Four of the parties deposed to some very material facts, some of which, affecting the safety of that House, he should now mention; but others, which were detailed at great length, were of too horrible a description for him to repeat. They involved a plot, not merely to effect the destruction of that House, and the hon. members within it, but of one of the highest personages in this kingdom, and of his majesty's ministers also. He would, however, confine himself to the facts of the case as they regarded that House. He would read the words of the deposition. They were to this effect:—" Some time in the year 1819, deponent saw a man of the name of Edwards going from one public-house to another, inviting persons to unite with him in the execution of the plots against the government which he intended to bring forward." It then went on to state, that one of his great plots was this:—He said, " that he could bring into the House of Commons six or eight men very readily, and that it was not necessary that they should come in *clean*." By that expression, he meant that they might easily enter the House with something under their arms; for they could so come into the lobby and other parts of the House with books; no objection would be offered to their passing on with books under their arms. These books were to have been filled with gun-barrels, cut down to the length of four inches only, which were to be filled with gunpowder, and plugged up at both ends; and these implements being thrown down in the middle of the House, upon some occasion of a full attendance, when it would be in a very crowded state, would explode with great violence, and cause much destruction. The deposition went on to show, that Edwards on one occasion said, " Thistlewood is the boy for us; he's the one to do our work: he will very soon be out of Horsham-gaol." Now the evidence next showed, that two days after, Thistlewood did come out of Horsham-gaol, and he was introduced to this Edwards at the house of Preston the cobler. And that which was the strongest confirmation of the whole statement, and in his mind proved it beyond all doubt, was, that Edwards did get those very books made for the purpose; that he procured the gun-barrels, and had them cut up. At that time, too, he was supplied with money all of a sudden, although, just before, he had not enough to buy a pot of beer, and was compelled to lie upon straw. All at once, however, he got supplied with cash, and was enabled to purchase several other weapons of defence, and arms, which the deponents spoke of. Now this was the general substance of the depositions as they regarded that House: as to the other parts, which related to the intended taking off of certain individuals, he had hardly satisfied himself what might be the best mode of proceeding; or whether, from the nature of the case, he might be justified in asking the House to indulge him with a committee of secrecy, in which case it would not be necessary for him to proceed with his present observations. The other details, however, which he did not at present feel it his duty to bring before the House, were of a most terrible description, and unfolded plots of the most dreadful character. The persons who had made the depositions were respectable persons, and not at all implicated in the late legal proceedings, as having been evidence either for the crown or for the prisoners. He had had several other persons with him that same morning, who were all ready to swear that they knew Edwards to have been engaged in these plots, from time to time. He had been asked by several individuals, how he intended to proceed in this case; and he could now declare, that his mind was made up to call Edwards before the bar of the House. Whether, however, he should ask for a committee of secrecy, or proceed in any other way, he was ready to bring this important business before them, and he thought that he discharged his duty in so doing. He had not thought it proper to swear those deponents to the truth of their allegations, because all the acts charged against Edwards were stated to have occurred either in the county of Middlesex or the city of Westminster. As he never interfered in such a case he told the parties that they must go before a magistrate either of Westminster or of the county; or else that they must apply for a warrant to lord Sidmouth. He directed them to go to his lordship; and promised that, upon procuring the warrant, he would get it immediately backed, so as to make it operative within the city of London. He thought the thing a matter of such importance, that he took the depositions in charge, himself; and ordered the witnesses to attend him at lord Sidmouth's immediately. When he arrived at the office, it so happened that his lordship was not there, having left the place only a few minutes before. He left the depositions with a gentleman whom he had now in his eye, and had received an answer; but he did not think proper now to give it. The existence of such a man as this Edwards it was almost impossible to conceive; it was difficult to imagine a man, going about with all this boldness, from public-house to public-house, nay, even from one private house to another, framing and discoursing of all these plots. For his own part, however, when he looked at all the facts, he thought it clear, that Edwards had become connected with the Cato-street conspirators at a very early period of their meeting together; and he pledged himself, that if the House should think proper to adopt any question upon the subject, he would bring forward such evidence as must convict the man. It was only to be apprehended that he was not, perhaps, in the country, which he might have quitted by this time; otherwise, no doubt, there were hon. gentlemen who were in possession of him, so that he might be produced. He, therefore, felt it his duty, under all the circumstances, to move, "That George Edwards do forthwith attend at the bar of this House."

Mr. *Bathurst* observed, that the only question for the House to determine was, whether that which had been stated by the worthy alderman called upon them to take up the matter as a breach of privilege. The motion did not require any other reference to the circumstances which had been described by the worthy alderman than this—could those circumstances be construed into a breach of privilege? Now really he besought the House to consider what sort of precedent they would establish, if they acquiesced in the worthy alderman's motion. Here was a man, who, according to the worthy alderman, was an accomplice, or rather a principal, in the conspiracy for which several unfortunate persons had lately forfeited their lives. According to the worthy alderman, that man was deeply implicated in the crime for which those persons had suffered; and if the motion was agreed to, he would be called to the bar to be examined on a charge of having committed a breach of privilege, when, if the allegations of the worthy alderman were borne out by the fact, he would be found to have committed an overt act of treason. If any other course could be adopted in which the case might be fairly investigated, he would concur in it; but if the worthy alderman really believed that the individual in question had projected the attempt against that House which had been described, he would recommend the worthy alderman to withdraw a motion for calling that individual to the bar, in the supposition that he would there charge himself with such an offence.

Mr. Alderman *Wood* said, he certainly set out with intimating that he saw great difficulties in this question; and from his inexperience in that House it was naturally to be expected that he should feel that uncertainty, in a case of this kind, which those of greater parliamentary knowledge would not experience. He was, indeed, quite happy to hear the right hon. gentleman observe, that if the business were brought before the House properly, the House would properly entertain it. He thought it right to state that he had applied to another quarter, to get the individual in question prosecuted, but in that application he had been disappointed [Hear, hear!]. He had already stated, that he did not think proper to read the answer which he had received when he had felt it his duty to carry the evidence which had been submitted to him, to the office of the home department. He was certainly not satisfied with that determination. Several of the deponents were persons not at all implicated in the late transactions; and their evidence was, in his opinion, fully sufficient to convict the person in question. Still, however, he had been told in another quarter, that it was not so, although the depositions contained matter, which, of course, he had not communicated to the House, but which would make them shudder if they heard it. The impression on his mind certainly was, that the accused person should be taken up. He took it for granted that the gentlemen opposite knew where that person was to be found, and that he could not escape. Having him in their possession—having it in their power to bring him forward, he thought they ought immediately to do so. Edwards was charged with being the sole promoter of the treasonable conspiracy which had been formed. It was declared to be his practice to lay hold of all the desperate characters whom he could find, and to bring them into his diabolical practices. He thought he could safely pledge himself to prove by indisputable evidence that Edwards was the sole plotter and founder of the Cato-street conspiracy. He had discharged his duty by bringing the subject under the consideration of the House. After what had fallen from the right hon. gentleman, he should certainly be disposed to withdraw his motion, although he was not prepared to propose any other course of proceeding.

Mr. *Hume*, as he understood from the

worthy alderman, that it was not the intention of his majesty's ministers to call the individual in question to account, considered that the only chance of having the affair investigated was by an appeal to the House of Commons, and therefore he trusted the worthy alderman would not withdraw his motion. There were two facts which seemed to him to call imperatively for inquiry. It appeared by the deposition, that the individual in question did go from house to house, carrying hand grenades and arms; and that not eight and forty hours before the 23rd of February, he urged a man of the name of Chambers to enter into the plot, assuring him that all the necessary instruments of destruction were perfectly prepared. The other and more important fact was, that it appeared, that being at one time wholly destitute of money, he became all at once quite flush, bought quantities of arms and ammunition, and furnished other means of urging forward the purpose of the conspiracy. An inquiry by that House would elicit what the ends of justice required to be disclosed, namely by whom the person in question had been supplied. It would also ascertain—what was strongly suspected to be the case—that the existence of the plot was known to many persons before the time of its public detection. These were points which could not be elucidated in a court of justice. At least he hoped that ministers, who were no doubt in possession of the individual, would pledge themselves that he should not be permitted to leave the country until some means were taken of coming at the truth. He trusted, therefore, that the worthy alderman would not withdraw his motion unless such a pledge was given.

Mr. *Brougham* confessed that he wished the worthy alderman would take the advice of the right hon. gentleman rather than that of his hon. friend; and that he would withdraw his motion. But he begged to be by no means understood to join in the expression of levity, which, very much to his surprise and pain, had been drawn from some hon. members by the grave and extraordinary statements which had been made—statements which, in his opinion, were not at all of a character to provoke laughter. He was certainly not disposed to say that the present was precisely an occasion on which it was fitting for the House to resort to the law of privilege; but at the same time, if the alleged facts were true, he could have no more doubt than he had of his existence, that it was in contemplation to commit the grossest breach of privilege, or that which was ten thousand times worse than any breach of privilege—the destruction of one of the Houses of Parliament. This was a branch of high treason. If perpetrated, it was by the law high treason; if plotted, and not carried into actual execution, it was a high misdemeanor. The worthy alderman was in nowise open to ridicule for calling on the House to consider that as a breach of privilege, an inquiry into which, as the higher offence, he had been unable to procure. When any person was called to the bar for a libel on the House, he was required to inculpate himself. But certainly he did not think it would be a discreet use of the law of privilege to call on the individual in question as if he were merely charged with such an offence as a libel. But was the act with which that person was charged nothing? Was it no offence? Was he not accused in the depositions described by the worthy alderman of originating a serious plot, the object of which was, to come with hand grenades and other combustible matters, and attack the House of Commons when full of members? Good God! Was that a subject for ridicule and levity? When a conspiracy was, detected, the purpose of which was to throw hand grenades into the houses of ministers, it was held to be high treason, and men lost their lives for having joined in it. Was the House of Commons to listen with levity and impatience to the disclosure of a similar intention with respect to themselves? The sooner that feeling was got rid of the better. He supported the right hon. gentleman's recommendation to the worthy alderman to withdraw his motion, because he did not think that it was in a fit and proper shape; and by no means because he did not think that any thing further need be done in the business. On the contrary, it appeared to him to be extremely material that the House should take some step to procure the information to which the worthy alderman had furnished a clue. And why? Because there was evidently no other way of obtaining justice. Because the worthy alderman, corresponding in his capacity of magistrate with the noble lord at the head of the home department, had laid before that noble lord the evidence which he had described, and had received from that noble lord an answer that it was not deemed proper to bring Edwards to trial at all. He again begged he might not be mistaken. He by no means said that it would have been proper to try Edwards for high treason. He by no means said that that man's evidence had not been wisely acted on, or that he himself had not been prudently employed. He denied the truth of some of the worthy alderman's statements on the subject. He denied that Edwards was the sole instigator of the Cato-street conspiracy. He believed that there were other persons at least as deeply implicated. But he believed that Edwards, having been employed by government as a spy, like other persons who had on former occasions acted in that capacity, was not satisfied with merely giving information, and that he employed himself in inciting persons, already guilty, into the commission of further crimes. He by no means blamed government for employing Edwards as a spy; or for acting on his information; or for withholding him as a witness; or for abstaining from prosecuting him. For those four things he did not blame them. As long as such men as Thistlewood and the others existed, government were, in his opinion, not only justified in employing persons to watch their proceedings, but would be highly culpable if they neglected to do so. The necessity for the employment of spies was lamentable; but so was the employment of the executioner of the law. As long as crimes continued to be perpetrated, so long must they continue to be punished. Both occupations were odious; but in his opinion no man was entitled to blame government for employing the odious informer who was not prepared to blame them equally for employing the odious executioner. There was, however, one limitation to this doctrine. He who employed spies took upon himself a most difficult and delicate and responsible office. He was deeply answerable to the country and to the administration of justice, if he did not take the greatest care to select such men as would only give information, and not ininstigate to the commission of crime. The existence of such wretches as Thistlewood and Ings rendered the employment of spies necessary; but let it be at the same time remembered, that the existence of such wretches as Thistlewood and Ings rendered the employent of instigators to crime equally unnecessary. Having explained himself so far, the House would perhaps permit him to add, that although he did not blame government either for having employed Edwards as a spy—for having acted on his information—for having withdrawn him as a witness—or for having abstained from prosecuting him—yet, if it did appear from the evidence now adduced, that that individual went beyond his commission as an informer, that he employed himself as an instigator, and that he incited others to the perpetration of a separate and grave offence, not comprehended in the acts which had been the recent subject of criminal investigation, justice would not be satisfied unless he was brought to trial for such new and serious offence, or unless very ample grounds were stated to the House for waving such a proceeding.

Mr. *Canning* said, that whatever might be the ultimate decision of the House on the subject, whether they would determine on entering into the investigation of it or not, there was one point on which all must agree, namely the inutility of discussing it at a time, and on a question, the decision of which could lead to no satisfactory result. The hon. and learned gentleman seemed to have collected what he was sure the House had not, namely, that there was a disposition on the part of some honourable members to treat the whole affair with levity and ridicule. Really he had not seen any such disposition. He was sure that no such disposition had been manifested, either by himself or his honourable friends about him. As little could he plead guilty to the other charge, of a pre-disposition to accuse the hon. and learned gentleman of joining the popular cry against informers—a subject on which the hon. and learned gentleman had just made the most just and manly observations. He could assure the hon. and learned gentleman, that he never entertained such a pre-disposition; and if he had, it must have been entirely removed by the hon. and learned gentleman's candid statement of his opinion. On that statement, without wishing to add a single word to it, he was perfectly content to rest the defence, not only of the present or of any particular government, but of all governments that had ever existed in this or in any other civilized country, for taking the means which circumstances rendered necessary, to defeat by the prostitution of wicked men, the plots of men as wicked. All that he rose for, was to submit to the worthy alderman, as the motion in its present shape could not be usefully discussed, the expediency of not pressing it at the present time. It would be for the worthy alderman to consider whether or not he would bring the subject again before the House in some other form. On the expediency or inexpediency of such a proceeding, he would not venture to offer any opinion. He only entreated the House not to enter into a discussion wholly unnecessary at the present moment, and from which no beneficial result could by possibility ensue.

Mr. Alderman *Wood* expressed his willingness to withdraw the motion. He begged, however, to say, that he thought in the manner in which he introduced it, he had avoided any thing justly exceptionable. He had abstained from reading the deposition, for he should be sorry that the dreadful allegations which it contained should at present go forth to the world; and he had therefore confined himself to a description of that part of it which most nearly touched the House. At the present moment he was not prepared to bring the motion forward in another shape, but he thought he should do so in the course of a day or two, and that he should move for the appointment of a secret committee to investigate the case.

Mr. *Canning* disclaimed any intention of imputing the slightest blame to the worthy alderman. He certainly disagreed with the worthy alderman as to the expediency of his motion, but he saw nothing whatever to criticise in the manner in which it had been brought forward.

The motion was then withdrawn.

Civil List.] The House having resolved itself into a committee on the Civil List acts,

The *Chancellor of the Exchequer* said, that he would, on this occasion, merely move a series of resolutions relative to the civil list, on the understanding which had previously taken place, that the question should be discussed on the bringing up of the report on Friday next. He then moved, "That it is the opinion of this committee, that for the support of his majesty's household, and of the honour and dignity of the crown, there be granted to his majesty, during his life, in that part of the United Kingdom called England, a revenue of 850,000*l.* to commence from the demise of his late majesty;—and that there be granted, for the like purpose, in that part of the United Kingdom called Ireland, a revenue of 207,000*l.* to commence from the same time."

Sir *H. Parnell* was of opinion, that the sum now proposed was too large to permit the House to come to a vote on it at once, as a mere matter of course. He conceived, that, before they were called on to grant such a sum, papers should be laid before the House for their information. It appeared to him that they did not possess that extent of knowledge on this subject which would enable them, in considering the question, to do their duty to the country. They were directed, by the Speech from the throne, to provide for the civil government, and for his majesty's household. They were also informed that the state of the hereditary revenues was to be considered by parliament. Now it appeared to him, that they ought not to discuss those important matters of finance without full information. They ought to know, specifically, what the expenses of the civil government amounted to. That would afford an excellent opportunity to the House for carrying into effect that retrenchment which was necessary in the present state of the finances of the country. With respect to the household, it was improper, he thought, to continue a system, against which so many objections had been made by the highest authority. When he said this, he need only allude to the celebrated speech of Mr. Burke. As to the hereditary revenues, it was a grave matter of consideration by what mode those revenues could be made productive. There was a considerable expenditure incurred in their collection, and opinions had been stated by the committee of finance, that the House had an opportunity of making great savings under that head. Other matters ought also to be brought under the consideration of the House; for instance, the revenues derivable from the duchy of Lancaster and the principality of Wales. All these matters should be looked into before the House did any thing with reference to these particular resolutions. He knew not what papers might be necessary to enable him to take a just view of the subject; but, undoubtedly, a considerable number was wanted; and, if time were given, he and others would come down prepared to ask for those documents which would afford the House very great assistance.

The *Chancellor of the Exchequer* said, it was generally understood that, in the first instance, the resolutions would be agreed to without observation, leaving the discussion on them to a future period.—The number of members who had left the House clearly proved that this feeling generally prevailed.

Colonel *Davies* fully understood, and so did the whole House, that the arrangement of the civil-list was to proceed on the basis of the act of 1816. That arrangement provided a sum of 1,063,000*l.* a-year. From it was to be deducted the Windsor establishment, the allowances to his late majesty's privy purse, &c.; and, therefore it ought to be estimated at 500,000*l.*, instead of upwards of 1,100,000.

The *Chancellor of the Exchequer* said, that certain English allowances must be confirmed and continued; but still, after making the deductions alluded to by the hon. gentleman there would be a clear saving to the public, except so far as it might be deemed proper hereafter to make some alteration.

Colonel *Davies* said, his having fallen into this error was an additional argument in favour of delay. It showed how unprepared members were on this subject, and, he trusted, therefore that ministers would not press it forward.

Mr. *Canning* said, the general understanding of the House was, that these resolutions should pass without discussion, and that the debate should be taken on the report. He was aware, in strict argument, that there was nothing in this to bind gentlemen from considering the question; but if, on every occasion, the feeling and opinion of each individual in the House were to be taken on a point of this kind, there would be an end of courteous understanding and accommodation. He was sure the right hon. gentleman opposite would bear him out when he said that it was thought much more convenient not to take the debate in this stage of the proceeding. He was quite convinced that neither his right, hon. friend, nor any other person in the situation of a responsible minister, would offer, for permanent settlement, not a proposal of his own, but of those whom he had consulted, without giving a fair opportunity for the discussion of its merits. If there were gentlemen present who were desirous not to be considered parties to the regulation of which he had spoken, they might proceed with the debate to-night, without prejudice to that which was reserved for a future day.

Mr. *Tierney* felt himself called on to draw the attention of the House to what had passed on a former occasion. He was the person who put certain questions to the chancellor of the exchequer. He asked, whether it was the right hon. gentleman's intention, previously to the introduction of the resolutions, to refer any papers to the House, as the ground-work of that which he meant to propose? The right hon. gentleman answered, that no such mode of proceeding was in contemplation, but that he meant at once to proceed by way of resolution, and by that means to point out to parliament the objects he had in view. He (Mr. T.) stated that it was a matter of great importance, and, therefore, he was desirous not to go to the detail unprepared. He, in consequence, suggested, that, when the resolutions were proposed, and the statement of the right hon. gentleman was laid before them, nothing should be done to provoke a debate, but that the House should merely be put in possession of the line which government intended to pursue. On this occasion, he confessed he felt disappointed that the right hon. gentleman had not declared the ground on which he meant to proceed, instead of proposing a resolution having for its object the application of a gross sum. In this state of things, no gentleman was bound to abstain from debating the question now; and he appealed to the other side of the House, as well as to his own, whether the understanding amounted to any thing more than he had stated. He regretted that the right hon. gentleman had not coupled his proposition with some statement of the grounds on which he meant to act. However, in agreeing to the resolution now, he did not consider himself bound to take any particular course at a future day. When that period arrived, it would be open to any gentleman to move an amendment, to the proposition of the chancellor of the exchequer. One question he would now ask. The civil list was, he understood, to be settled on the basis of the settlement of 1816. Were no other deductions to be made in the new arrangement but the sum applicable to the maintenance of the establishment at Windsor—the sum applicable to the privy purse—and the sum applicable to the payment of the Custos? Were these the only sums to be deducted? and were the other charges to remain precisely as they were in 1816?

The *Chancellor of the Exchequer* said, that the right hon. gentleman had accurately conceived the purport of the resolution before the House. It referred to the whole revenue granted in 1816, with the exception of the expense of the Windsor establishment, 60,000*l.* for the privy purse, and 10,000*l.* given to the Custos. The total saving would be 130,000*l.*, excepting a temporary charge for his late majesty's servants.

Mr. *Tierney* asked, what became of the sum of 58,000*l.* which was paid to her late majesty?

The *Chancellor of the Exchequer* said, that the provision for her late majesty came from the consolidated fund, independent of the civil list.

Lord *Archibald Hamilton* said, he was anxious to know what the views of ministers were on the whole subject, before he acted on a part of it, particularly on that part which he considered as by far the most critical. He spoke with reference to the queen. He wished to know in what proportion her majesty was to be provided for; he wished to know in what manner the gentlemen opposite meant to introduce that part of the civil list at all to their consideration. At that moment her income had wholly ceased, she had no subsistence. He did not mean to say any thing to promote premature discussion. He would not, at present, discuss so delicate a topic as that which he had glanced at, because it would be very embarrassing to him as well as to the House. At the same time, he feared that the course they were now pursuing would prevent him from introducing it at a future period. If he were called on to vote these resolutions to-day, and to debate them when the report was brought up, he might be told that that was the time for considering the details, and not for arguing on the merits and principles of the system. If, however, the whole subject would be open for discussion at a future period, he had no objection to let the resolutions pass.

Mr. *Canning* said, that undoubtedly the noble lord would find every point connected with the arrangement of this question open to discussion, not only with reference to form, but to sense and understanding, whenever the subject was hereafter brought forward. He was perfectly right in supposing that the present was the proper stage for explaining the scope and object of the measure, but the departure from form did not rest with his (Mr. C.'s) side of the House. The ordinary course would be to enter into the whole plan and object of government; but it was proposed to ministers to pass over this whole stage without discussion, in order to convenience gentlemen opposite, and to take the debate on the report. It was a little hard, therefore, to ask ministers to account for the course that had been pursued. They, in courtesy, adopted the mode of proceeding that had been pointed out to them. It would be also a little hard to refuse his right hon. friend the vote this day because he had agreed to an understanding, proposed by the other side, not to discuss the question now. He was sure the noble lord did not mean to take an unfair advantage of ministers, and they had as little idea to take any advantage of him. Many opportunities would occur when those resolutions were proceeding through their different stages, and the bills founded on them were in progress through the House, to go at length both into the detail and principle of the question.

Lord *A. Hamilton* expressed himself satisfied by this explanation.

The *Chancellor of the Exchequer* said, the provision for the queen might be charged on the consolidated fund, in the same way as had been done with respect to her late majesty.

Mr. *Hume* did not approve of the plan now proposed. In 1815-16, when an inquiry into the civil list was called for, it was shut out, and they were then told that a time would occur when it would be proper to investigate the hereditary revenues, and those branches over which the House had no control. The House had therefore a right to take into consideration the state of the king's separate hereditary revenue; the revenue, for instance, derived from Scotland, which produced 80,000*l.* or 90,000*l.*; the droits of the Admiralty; the sums received from the 4½ per cent duties; and the monies collected in Gibraltar. Consistently with the speech from the throne, the estimates laid before the House should be of the most economical description; but he would contend that the estimates now submitted to their consideration were of the most extravagant kind. The report of the finance committee said, that the 56th of Geo. 3rd, fixed the different estimates. It was then declared, that the ensuing income should be estimated on an average of the three last years, 1813, 1814, and 1815—three years of the most extravagant expenditure that was to be found in the annals of British finance. He therefore argued, that in proposing to the House to adopt the extravagant estimate of 1816, which was admitted to be greater than that of 1813, 1814, 1815, ministers were not attending to the directions of his majesty, and were neglecting a system of economy which ought to be pursued in every department of the state. He wished to know what the expenditure was, under different items, since the passing of the act of 1816; he should also wish to be informed what the total amount of the expenditure for the civil government of this country was; because they were now going to vote, under the single head of "Civil List," a sum that did not, in point of fact, amount to more than one-fourth of the civil expenditure. He alluded to all those items that were defrayed from the civil list, at the accession of his late majesty. By various acts passed since that period, the civil list had been freed from a charge of 600,000*l.*; and notwithstanding that, they were called on to grant a greater sum than was voted at the accession of his late majesty. This, in the present state of the country, was highly improper. Instead of such a proceeding, he had expected that the right hon. gentleman would have submitted a proposal of retrenchment beginning with his majesty, and going on to reduce the salary of every public officer of the country. Such was the situation of the finances, that unless a considerable reduction was made in the expenditure of the country, it was impossible they could go on without flying from speculation to speculation, and thus adding to the immense debt by which the country was weighed down. Much as he admired the system of this country, he thought there was nothing that could not be bought too dear; and he believed that the civil government of this country was too dear. Every one who wished for a reduction of his expenses, reduced first his own establishment, and began by curtailing the expenses of his servants. We were in the state of a bankrupt, and if ministers meant any thing by economy, they ought to begin with the first great establishment in the country. The civil list had increased from year to year, and the average of 1816 was greater than that of the three preceding years. That was the greatest period of expenditure; and the reduction in the expenditure, together with the return to cash payments, had since increased the value of money, some said 30 per cent, and he believed at least 25 per cent. To propose, therefore, to give 850,000*l.*, as in 1816, was equivalent to proposing 1,000,000*l.* sterling now. To begin with the first establishment in the country was, therefore, the duty of ministers. Although they were above the example of any neighbouring country, yet they would do well to consider, that in a neighbouring country ministers had proposed such a reduction as ministers in this country ought now to adopt. If ministers did not act so, they would in fact add 250,000*l.* to the establishment of 1816. The committees of 1804, 1812, and 1816, had ascribed the increase of expense in his majesty's household to the rise of prices of all kinds. A reduction of prices would be the necessary consequence of a return to cash payments, and therefore the establishment of the civil list ought to be accordingly reduced. He, for one, considered the present mode of proceeding wrong in principle; it was not doing justice to the House or to the country. After reducing his majesty's establishment, the salary of every individual ought to be proportionally reduced. Now they had it in their own power to effect this reduction; and if they availed themselves properly of the opportunity, although he did not expect such a relief as some contemplated, he did believe that considerable relief could be afforded to the country. So far, therefore, from keeping their pledge to that House and to the country, ministers had violated it to both. All he could do was to protest against such a proceeding. He approved highly of what the hon. member for Winchelsea had said the first night on the subject of the hereditary revenues; for no money ought to be given to the Crown but what was under the control of that House. Inquiry had formerly been resisted upon this subject; and it was always said to them, "Wait till a change takes place, and then you may enter freely into the inquiry." This had been the bargain made with the House; but, now that the change had taken place, no inquiry was allowed.

Sir *H. Parnell* thought, that as frequent opportunities ought to be given for discussing this subject, the report ought to be recommitted after the subject should have been debated. This was the only mode of doing justice to a question involving so many details. Great prejudice and injury to the public would arise from any other mode of proceeding. He certainly would have opposed the accommodation now acted upon, if he had been in the House when it was agreed to. Instead of considering this subject in a committee of the whole House, which the right hon. gentleman would not allow, all the papers and documents on the subject ought, in his opinion, to have been referred to a select committee.

Mr. *Brougham* rose to put his hon. friend, the member for Aberdeen, right. There were other branches of revenue, besides the hereditary revenues of the Crown, which he wished to see accounted for. The hereditary revenues, his hon. friend must be aware, his majesty had been graciously pleased to give up to the consideration of parliament. But there were others, such as the Scotch revenue, which was indeed very small, that had been alluded to by him. He conceived, as to the accommodation, that it was only a parliamentary mode of introducing the resolutions into the House, in order to get them printed. He approved of the proposal of the hon. baronet to have the report recommitted, but he considered himself bound not to object to the mode of proceeding at present proposed.

The resolution was agreed to, as were the following: 2. " That the said revenue for the support of his majesty's household, and of the honour and dignity of the Crown, be charged upon, and made payable out of, the consolidated fund of the United Kingdom of Great Britain and Ireland. 3. That the several hereditary revenues in that part of the United Kingdom called England, which, by an act of the first year of his late majesty's reign, were, during his said majesty's life, carried to and made part of the aggregate fund, and have since, under the act of the twenty-seventh year of his late majesty's reign, been carried to and made a part of the consolidated fund of Great Britain; and that the several hereditary revenues in that part of the United Kingdom called Ireland, which, by an act of the parliament of Ireland made in the thirty-third year of his late majesty's reign, were carried to and made a part of the consolidated fund in Ireland, shall, from the said demise, and during the life of his present majesty, be carried to the account of the consolidated fund of the United Kingdom of Great Britain and Ireland."

HOUSE OF COMMONS.

Wednesday, May 3.

Wool Tax.] Mr. *Stuart Wortley* presented a petition from the worsted manufacturers of Nottingham, against the duty imposed during the last parliament on the importation of Foreign Wool. The same feeling pervaded, he well knew, the West Riding of Yorkshire; but as the question would be most probably brought before the House in a definite shape for its repeal, all he would say at present was, that he considered the imposition of that duty as a most impolitic and cruel measure.

Lord *Milton* said, that he also had a petition to present from the merchants, manufacturers, and others interested in the wool trade of Leeds and its neighbourhood, against the wool tax, and praying for its repeal. The character and respectability of the signatures to that petition were the best evidence of the pressure of the evil against which they petitioned. The petition had not originated at a public meeting, because the persons who were most solicitous to press the repeal of that impolitic duty, wished to avoid any course likely to increase the ferment and agitation which existed on this subject in the West Riding of Yorkshire. The tax of which they complained, was not only in contradiction of every principle of political economy, but was directly contrary to that fundamental system of policy which for years had prevailed in this country, and to the continuance of which the faith of parliament was pledged—pledged, he would say, by the immemorial policy of its government —a policy which every statesman who viewed the question would see was the unfailing source of wealth and power. When he reflected also that that duty was imposed on the raw material, the manufacture of which constituted the employment of a great population then suffering under the severest pressure of distress and penury, he must add, that such a measure was not alone impolitic, but cruel and unfeeling. He could moreover state, that as a measure of revenue, it had altogether failed—as fail it must, when it was considered that a very great proportion of the article on which it was laid, must, by that operation, be altogether excluded from the markets of the country. He assured the House, that a very important contract for the clothing of a great part of the Russian soldiery, was actually lost to this country in consequence of the operation of that impolitic measure. He knew the house to whom the contract had been offered under certain stipulated terms which, in consequence of the late tax, they assured him they were compelled to decline. If it was a measure for the protection of the wool growers, it was for them to look at such effects, and to calculate what must such a system eventually produce. By the authenticated returns from Yorkshire it appeared, that the woollen manufacture there had diminished to the extent of one-sixth, and other branches of trade connected with it were equally depressed.

The *Chancellor of the Exchequer* observed, that when the question was brought before the House in the definite manner to which allusion had been made, he was sure it would receive the fullest consideration. He had, however, in answer to the argument of the noble lord, who contended, that as a measure of revenue, it had wholly failed, to say, that it had not yet been fairly tried. It came partially into operation in October last, was only extended in January, while at the time there was a large stock of foreign wool in the market.

Ordered to lie on the table.

CIVIL LIST.] Sir *H. Parnell* rose, to move for certain papers connected with the Civil List, under a conviction that, if the subject were thoroughly examined, a considerable sum might be saved to the country. The present was the only opportunity of enforcing a strict inquiry, because the House was aware that, as soon as the bargain had been completed, the answer would be ready, that the matter was concluded, and that no farther investigation could be had. He was anxious that the report of 1815 should be laid upon the table, that all members might be put in possession of the nature of the settlement of the civil list in the year following: if it could be reprinted, it would be a still greater advantage, as it formed the basis of the present plan. In addition, he wished for papers to show what increase had been made to the civil list, and what charges formerly paid out of it had been transferred to other funds. The most important, however, would relate to the total expense of the support of the civil government of these countries. The sums paid out of the civil list for this purpose formed but a small part of the whole, as altogether it amounted to about 2,000,000*l.* a year, including the votes of parliament, and what was called the fee-fund. By far the greater part of this expenditure was devoted to the support of official establishments. The House ought also to be in possession of some return showing the expense of collecting the hereditary revenues of the crown. The finance committee had reported that a great saving might be made in this department; and, to ascertain the correctness of this statement, he was desirous of returns from the alienation-office, the fee-farm rents'-office, the crown-lands'-office, and the woods-and-forests'-office. By an act of the Irish parliament, in the 33rd Geo. 3rd, on the demise of the crown, the hereditary revenues in Ireland were to be computed, and the civil list settled accordingly. The last documents he should require would refer to the revenue and emolument belonging to the duchy of Lancaster, and the other duchies and counties palatine. He then moved a long list of papers, to obtain the information he thought necessary.

The *Chancellor of the Exchequer* observed, that the greater part of the information required by the hon. baronet was already before the House in different shapes, but it could not be collected and copied without such a loss of time as would be extremely inconvenient on a measure of so much importance and urgency. For the purpose of economical reduction, he could not see why it was necessary to enter now into a full examination of the official establishments paid out of the civil list. Many other offices came under the head of civil contingencies, which were annually brought before parliament. As to the report of 1815, he thought there could be no difficulty in obtaining a sufficient number of copies of it to inform all who would be willing to go through its voluminous details, and he did not think it necessary to reprint it. He moved the previous question.

Mr. *Tierney* said, that it would be impossible to come to a vote on the resolutions of the chancellor of the exchequer without considerable inquiry, and some farther communications from ministers as to facts and details. Although those resolutions had passed last night, he desired to be understood as not having waved his claim to papers of the kind now required, because he was persuaded that they were necessary.

Mr. *Calcraft* hoped that the hon. baronet would not withdraw his motion, and give way, unless the chancellor of the exchequer would undertake that the report of 1815 should be reprinted. He believed it contained all the information required by this motion.

Sir *H. Parnell* added, that he would not trouble the House to divide, if that report were reprinted.

The question was then put, and the previous question was carried without a division. The chancellor of the exchequer then moved, "That the report of 1815, on which the establishment of the civil list in 1816 was founded, be printed."

Mr. *Tierney* supposed, that the question would be set at rest before gentlemen had that report in their hands. They were to decide first, and have the report afterwards. Besides, he wished for additional information. He wanted to know what had been done since 1816.

The motion was then agreed to.

Civil List Revenues.] Mr. *Hume* said, he was anxious to submit to the House a motion respecting the expenses of the Civil List; and, in the outset, he was able to state, that the objections which the chancellor of the exchequer had made to the proposition of the hon. baronet, would not at all apply to any one of the motions he meant to offer. The House, he was persuaded, from what he had observed this day, would be desirous to obtain all the information possible respecting the income which his late majesty possessed; not only with respect to what parliament granted as a civil list, but also with reference to other exclusive and reserved revenues. The House was aware that in the report now ordered to be printed there was a statement of the total receipts and expenditure of the civil list, from the accession of his late majesty to the month of January, 1815. The object of one of his motions was, to complete that return, and to produce what did not appear from any papers before the House—a return of the expenditure from the 5th of January, 1815, to the 5th of January, 1820. This account would not be so difficult in making up as gentlemen might imagine. The total of the expenditure of the years preceding the last could be given in about nine lines; and the account of the last year, up to the 5th of January, 1820, might contain the detail of the whole payments on the establishment. It must be in the recollection of gentlemen, that, since the civil list was divided into classes, two or three alterations had taken place, particularly in 1804 and 1816. On those occasions there had been a transfer from one account to another of certain sums, improperly charged under various heads. The civil list had also been freed from considerable burthens of different descriptions, which were transferred to the consolidated fund, and were payable out of it. If, therefore, gentlemen had an opportunity of examining the expenditure of the period to which he had adverted, under the various heads, they would be better enabled to consider the grounds on which any alteration might now be effected. The payments, at present, were very complicated, and he could not see, as the civil list was merely intended for the support of his majesty's household, and did not include the whole civil expenditure, why a more accurate classification should not take place. No less than an expense of 600,000*l.*, totally exclusive of the civil list, was incurred by the civil expenditure. From the accession of his late majesty, up to the period to which the report of 1815 extended, the money voted by the House of Commons, in aid of the civil list, amounted to 53,000,000*l.*; but nearly 9,000,000*l.* had been paid from the consolidated fund, on account of items separated from the civil list, and, strictly speaking, forming a portion of that list at the accession of George 3rd. They could not, therefore, know what the exact amount of the civil list was, unless they had before them the six classes into which the payments were divided. They would then be able to decide on the alterations that should be made. He considered it quite an anomaly that the right hon. gentleman who filled the chair of that House should be paid from the 2nd class of the civil list the sum of 1,500*l.*, and that another source should be applied to in order to complete his income. The payment of the salary of every individual should be simplified. And if that principle were followed, not only with respect to the civil list, but the fee-fund, and various other departments, it would be infinitely better than the system now adopted. Some establishments were paid from four, five, and even six sources; and it was actually necessary to have additional establishments to keep the accounts. The consequence was, that members of that House were prevented from understanding how the payments were made. As the information which he sought could not be obtained by any other means but by the production of the accounts; he could see no good reason for keeping them from the House. They ought, he conceived, to be placed in the hands of members before the discussion on the civil list took place. He could not, therefore, contemplate that the chancellor of the exchequer would continue that course of opposition on which he had previously acted. He meant first to move for "an account showing the amount in totals which has been paid for each class, since the 5th January 1815, in respect to the charge of the civil list in each year from that period to the 5th January 1820, stating in detail the payments for the last year; and also, an estimate of the demands outstanding and unsatisfied on account thereof on the 5th January 1820." If ministers intended to inform the House of what had been doing, under the 56 Geo. 3rd, this account would not be refused. In each preceding settlement of the civil list the regulations were as strict as possible; every means appeared to be adopted to prevent any exceeding of the estimate laid before the House. But still it appeared that in every instance there was an exceeding. The estimate of 1786 was departed from, and that of 1804 was, in like manner, set at nought. There was an exceeding on every item. The House ought now to know whether the settlement under the act of the 56 of Geo. 3rd had been strictly complied with, or whether that estimate was also exceeded. He did not know that an exceeding had taken place, neither could he tell whether the whole of the sum granted by that act had been expended. He would state why; because, in many of the items, under several of the classes, the amount was very much altered, compared with that which was the average of the three years preceding 1816. The committee that drew up the report of 1815-16 said, "the estimate had been referred to them, and seemed to be drawn up on the average of the three last years, during which the expenditure was very great." Now, as the establishment of 1816 was formed on a scale the most extravagant that had been known since the settlement of the civil list, the House ought to inquire, whether the two acts, ordering a return to be made to the House when any excess took place, had been complied with. He was not sure that such a return had been made, and he thought there could be no objection to its being produced. The second motion was for "a return of the amount of all payments under the head of civil contingencies, which do not form part of the ordinary charges of the civil list, in each year from the 5th January 1815 to the 5th January 1820; as also, an estimate of demands outstanding and unsatisfied thereof at that date; and also, of all sums granted by parliament to discharge the same." When the House had in their possession the first account—that which he had just read—and another for which he meant to move, gentlemen would be able, at one glance, to see the whole of the receipts and expenditure of the civil list. The account had already been brought up from the accession to 1815, and his motion would carry it on to January 1820. The last document for which he would move was, "an abstract account showing the amounts in totals, under each head, which have been issued in each year, from 5th January 1815 to the 5th January 1820, from the exchequer, out of the consolidated fund, or out of money specially granted by parliament for allowances to the several branches of the royal family, for the judges, &c. in England and Wales, and for all services which were formerly paid out of the civil list revenues, but from which the civil list has at various times been relieved." If these accounts were produced, the House would have at one view the whole amount of sums chargeable on the civil list which had been paid during the late reign.—The hon. gentleman then moved for the first account.

The *Chancellor of the Exchequer* opposed the motion. The documents called for could not, he said, be useful to the hon. gentleman for the object he had in view. The act of 1816 required that, if there was an additional charge on the civil list exceeding the estimate by the sum of 16,000*l*., an account of such exceeding should be laid before parliament. Now, no such return had been made; and if the hon. gentleman thought that the act of parliament had been violated, let him bring his charge forward, and ministers would be ready to meet it. He was prepared to say, that since the passing of the act of 1816, the issue had been regular, and no excess whatever had taken place. Under these circumstances, he would move the previous question.

Mr. *Hume* called on the right hon. gentleman to point out where one account connected with the civil list receipts and expenditure since 1816 was to be found. He thought it was most unfair to refuse this information, since individuals would not, hereafter, be able to alter the arrangement, as they might now do, if they were in possession of those accounts. The system had been changed by two acts of parliament; but ministers did not always keep within the letter of those acts. According to the report of 1815, the sum of 3,747,000*l.* had been voted, to make up for certain violations of acts of parliament. He did not know that the whole amount granted by parliament had been paid; neither could he tell whether, of that large sum, 100,000*l.* or 200,000*l.* might not remain unspent. On these points he desired information; and he hoped the House would not allow a motion of this kind, so palpable and distinct, to be rejected. If information on this important subject was to be thus refused *in limine*, it would be useless to enter into any discussion upon it.

Mr. *Huskisson* said, that the right of calling on ministers, under all circumstances, to produce accounts which the hon. gentleman seemed to think existed, was a new doctrine in parliament. He could quote a very high authority on this subject, that of the late Mr. Fox, who had distinctly stated, that, unless the Crown came to parliament for assistance in aid of the civil list, gentlemen were not at liberty to call for an account of its application and expenditure. They had just been told that the estimate had not been exceeded since the last arrangement; and the hon. gentleman observed, that he did not know whether it had or not. A specific allowance had been granted for the support of the king's household; and in the event of an excess beyond that allowance to the amount of 16,000*l.* or upwards, although that sum might be made good out of other funds, still it was enacted, by the 56th of Geo. 3rd, that an account of such excess should be laid before parliament. Now, if there was no excess (which must be inferred, as no return was made), and if no demand was made for assistance, he could see nothing, consistently with the course pursued by parliament at all times, that authorized the hon. gentleman to call for a detailed account of the application of those revenues which parliament had granted for the support of his majesty's household. The arrangement of 1816 accomplished that which had not been before accomplished. The regulations adopted at that period provided new checks, by which the whole expense of every department, in each class, was to be kept within the estimate agreed to by parliament. It had been so confined; and that being the case, the hon. gentleman was in possession of all the information that was necessary for any proceeding with reference to the establishment of a new civil list. Let him take the estimate as it now stood, and rest assured that the expenditure was kept within its bounds. It was, therefore, fit to consider, whether, to satisfy the curiosity of the hon. gentleman, they would produce a detailed account, showing how much was spent for wine—what were the outgoings of the lord steward's, or of any other department—circumstances which could only be looked into with propriety, when the Crown called for assistance. It appeared to him that no ground whatever had been laid for the motion.

Mr. *Tierney* admitted that where no application for assistance was made by the Crown, it was not customary to inquire into the civil list expenditure. The speech of the right hon. gentleman was, however, one of the most extraordinary he had ever heard, because he stated the case as if there was a civil list in existence—the question being, how to form a civil list? They were not now dealing with a civil list actually in being—they were called on, *de novo*, to make a civil list; and in doing that, his hon. friend asked for such information as would enable him to decide on what was proper to be given. Could it be irregular to call for an account of that which took place in the reign of George 3rd? Because the hereditary revenue was to be placed at their disposal, and a sum was to be granted for the civil list, not exceeding the amount of that voted in 1816, were they at once to decide that the vote of 1816 was correct, without knowing the intervening circumstances? They were now called upon to make a final arrangement—so final, indeed (and he begged the House to recollect the chancellor of the exchequer's argument on other occasions), that, after making it, they would be told, if they attempted such a thing, that it was indecent to revise it. As this was the case, it became the more necessary that they should proceed with caution, and see clearly what they were about to do. He thought it most extraordinary that they should be asked to vote this gross sum, founded on the settlement of 1816, without knowing what had occurred since. They were told, that if there were an exceeding to a greater amount than 16,000*l.*, an account of the excess was to be laid before parliament within 31 days after such excess appeared. But this was no answer to the motion. They must bear in mind, that it was not an operative civil list they were touching, but one that only existed as a matter of history. His hon. friend wanted farther information. He wished to know whether all the money granted to support the civil list had been expended. There were two difficulties to be encountered and cleared up. Parliament might have voted too little, or it might have granted too much. He recollected, when the last arrangement took place, that it was considered a matter of difficulty to imagine how so large a provision could be expended; particularly that connected with the lord steward's department. That noble lord, it was understood, proceeded on a principle of great frugality. If, therefore, the settlement of 1816 provided more than was necessary, it was a material fact which the House ought to know. If there was a surplus, he should like to be acquainted with its appropriation, if it had been appropriated, which he did not suppose was the case. If the lord steward had, at the end of the year, a sum unappropriated, what was he to do with it? It was not an impossible circumstance that the Crown might rather wish to possess a sum of money than to lay it out in the support of that splendor which it was granted to maintain. A king might be seated on the throne who would rather keep the sum of money than entertain the company who would expect to be present at his festivities. This he merely put as a possible case. It certainly might be so, and it was an evil that ought to be guarded against. They ought, therefore, to know truly how the money had been spent, and every facility should be afforded to let them convince themselves that the whole of the sum formerly voted had been necessary. This was a very material fact, for it was just as possible that they had granted too much as too little.

Lord *John Russell* said, it seemed to be the intention of his majesty's ministers, at the commencement of a new reign, to take as a model in the arrangement of the civil list, the arrangement made five years ago, notwithstanding all the changes which had since taken place, and without consenting to any inquiry on the subject. That was certainly not his view of the way in which the House of Commons, at a time of such extreme pressure, ought to perform its duty to the country. He did not know whether the hon. gentleman's motion was that which was best calculated to obtain the desired information (although it appeared to him to be a very fair and proper one), but he was perfectly satisfied that the House of Commons would not do its duty, if it consented to any proposition for the permanent establishment of a civil list without any further inquiry.

Mr. *Hume* said, that the right hon. gentleman had observed, that the division of the civil list, in different classes in 1816, had prevented any exceeding. He did not seem to recollect, that, in 1786, there were different classes, which did not prevent an excess. At that time, the expenditure exceeded the estimate by 124,000*l.*; and a similar circumstance occurred in 1804. He would be glad if any other hon. gentleman would point out where the necessary information of the expenditure from 1815 to 1820, could be procured, except from the accounts for which he had moved.

Lord *Milton* declared, that he very much doubted if the present circumstances of the country were such as to justify the establishment of a permanent civil list. In the present state of our currency, it was impossible for any man to say what was the real value of a pound sterling, or what alteration the execution of the measures agreed to by parliament last year might cause in that value. He would, therefore, almost say, that no permanent civil list establishment ought at present to be formed; but, at least, the House ought maturely to consider on what basis that establishment ought to be constructed. It was half a century since the subject had been fundamentally brought under the consideration of the House; for all the subsequent acts with respect to it were mere modifications of the arrangement, and were not founded on any thorough consideration of it. Referring to Mr. Burke's celebrated speech, when he moved his economical reform, he put it to the House whether it might not be practicable to introduce some of the ameliorations then contemplated. At the time of making a new bargain with the Crown, might not various anomalies, such, for instance, as allowing the chief justices of Chester and Wales to sit in that House (contrary to all principle), be advantageously corrected? The present was the period in which a minute inquiry ought to be instituted, in order to see if some alteration might not be made beneficial, not merely as to the scale, but as to the classification of the civil list expenditure. But it appeared to be the determination of ministers to vote the civil list as it was, without any investigation whatever; taking credit indeed for not increasing it. A right hon. gentleman had even asserted that every body expected it would be increased. It appeared to him to be most extraordinary on the part of ministers to refuse all information on the subject.

The House divided: Ayes, 60; Noes 113.

List of the Minority.

Althorp, viscount
Burdett, sir F.
Boughey, sir S.
Benett, John
Bury, viscount
Bernal, Ralph
Baring, sir Thos.
Barham, J. F.
Bright, Henry
Barrett, S. M.
Calcraft, John
Calcraft, J. H.
Calvert, N.
Calvert, C.
Cavendish, Henry
Crompton, Sam.
Colburne, N. R.
Curwen, J. C.
Crawley, S.
Denman, Thos.
Duncannon, visc.
Dundas, C. L.
Grenfell, Pascoe
Gordon, Robt.
Graham, R. G.
Guise, sir W. B.
Hornby, E.
Hobhouse, J. C.
Hill, lord A.
Haldimand, W.
Harbord, hon. Ed.
Kennedy, T. F.
Lamb, hon. Wm.
Langton, J. H.
Macdonald, James
Milton, viscount
Millbank, Mark
Martin, John
Newman, R. W.
O'Grady, capt.
Powlett, hon. W.
Parnell, sir H.
Pym, Francis
Palmer, C. F.
Ridley, sir M. W.
Robinson, sir G.
Robarts, Abr.
Robarts, George
Russell, lord John
Rowley, sir Wm.
Ricardo, David
Rumbold, C.
Sefton, earl of
Tierney, right hon. G.
Wyndham, W.
Wilson, sir Robt.
Wilson, Thos.
Warre, J. Ashley
Webbe, Ed.
Wilkins, Walter

TELLERS.
Hume, Jos.
Philips, G.

Mr. *Hume* proceeded to make his second motion. He avowed that his intention was, that the details of the last year's expenditure should be laid on the table, in order that the absurdity of many of the items might be shown. Was it not fitting that the House, in the present distressed state of the country, should have every information on the subject, when among the items were such sums in the 7th class as 1,372*l.* to the master of the hawks, which might surely be retrenched; 1,547*l.* for the education of the Persian youths, which was misplaced in being charged on the civil list; and others as deserving of remark. He deeply regretted that the House, by the decision to which they had just before come, and expressed their determination to shut out all information on the subject of the civil list; not even admitting that which was by no means novel in its nature, but simply an extension from 1815 to 1820, of the information in the possession of parliament before that period. He could do no more than make the propositions which he deemed necessary; it was for the House to deal with them as they thought proper.

The previous question on this, and on the third motion, was put and carried.

Mr. *Hume* said, he would not go on with the remaining motions of a similar nature which he held in his hand; he must, however, again state, that the accessible accounts on the subject took weeks and months to understand, although a single hour's labour on the part of the clerks would obviate that inconvenience. The motion which he was now about to make was of a very different nature. It was surely most important, when the House were called upon to vote a civil revenue to his majesty for the support of the royal household, that they should know what sums his majesty had at his disposal, over and above all parliamentary grants. The amount of the reserved hereditary revenue of the crown in Scotland, taken on the average of the last three or four years, amounted to 110,000*l.* He was anxious to have this account continued in the same manner as the others, from the 2nd of February, 1816, to the 2nd of February, 1820. Over and above the sums voted by parliament, the whole of the reserved hereditary revenues of the Crown amounted to 300,000*l.* If the account, as it respected Scotland, were produced, it would show that the 110,000*l.* was chiefly appropriated to the payment of pensions, not for meritorious services to the state, but for political considerations; the money was expended, not in maintaining the honour and dignity of the Crown, but in corrupting the members of that House [Hear, hear! a laugh, and cries of order!]. In a few days he would endeavour to show how the money was employed; for he intended to move for an account which would show how far the cheers of the gentlemen opposite were well-founded. He really believed that the whole of the 110,000*l.* of the Scotch reserved hereditary revenue might be advantageously saved. He would move, "that an account be laid before the House of the amount of the reserved hereditary revenues in Scotland for each year, from 2d of Feb. 1816, to 2d of Feb. 1820."

The Chancellor of the Exchequer moved the previous question, which was put and carried.

HOUSE OF LORDS.

Thursday, May 4.

Price of Silver.] Lord *King* rose to move for an account of the market Price of Silver, with the view of ascertaining whether it was not under the Mint price. He thought it very necessary that their Lordships attention should be directed to this subject; for if it should appear, as he believed would be found to be the case, that the market price of silver was less than the Mint price, that would be a proof that the currency was debased. The only rule for ascertaining this fact, was a comparison of the price of the precious metals; for a comparison with paper afforded no means of judging. It appeared that the Bank bought gold at the rate of about 3*l.* 17s. 10*d.*, but they did not purchase silver, though it was cheaper in the market than at the Mint. The currency of the country was, however, in consequence of this difference of price, raised beyond its real value. It was their lordships duty to guard against the inconvenience of a variable standard. They must recollect what had been the consequence some years ago of the currency having been depreciated, and now the country was suffering in precisely the opposite direction by its rising. He might appeal to the evidence taken on the late investigation relative to the Bank, to show that the Mint price of silver was not in proportion to that of gold; but his object was, to obtain a return of the market price, in order to compare it with that of the Mint. and he believed it would be found that the former was 1½*d.* per ounce below the latter, being a depreciation of about 1½ per cent. He concluded by moving that there be laid before the House an account of the present market price of silver.—Ordered.

Civil List.] The Marquis of *Lansdowne* wished to ask the noble lord opposite a question, in reference to the civil list establishment, which was likely soon to come under their lordships consideration. He should be glad to know whether it was the intention of the noble lord to propose the appointment of a committee to inquire into the state of that establishment, or to give any information to the House which might be thought necessary, before the question came under consideration.

The Earl of *Liverpool* said, he did not intend to move for any committee. As to information, the noble marquis was aware that when the civil list was settled in 1816, the accounts thought necessary at that time were laid before parliament. That information was still accessible to their lordships, and he thought it sufficient to enable their lordships to discuss the question which would come before them.

The Marquis of *Lansdowne* reminded the noble earl of what had passed when this subject gave rise to considerable discussion some years ago. It had been then, and on other occasions when the question was adverted to, uniformly stated, that when a new reign should commence an opportunity would be afforded to parliament for a complete investigation of the state of the civil list. This he believed was distinctly stated by the minister who made the arrangement in 1816. He had undoubtedly heard with much satisfaction the declaration made on the part of the Crown on the first day of the session relative to the civil list; but that declaration did not relieve parliament from the duty of now fully considering the subject, in order to ascertain whether the difference in the state of the country, and other circumstances, did not render it necesary that a new arrangement should be made. He was, therefore, justified in calling for the reprinting of the accounts which had been laid before parliament in 1816, and for such other information as should afterwards appear necessary. He did not now mean to give any opinion as to what the amount of the civil list ought to be; but, independently of the principle of economy, which, in the present situation of the country, it was necessary never to lose sight of, there was another, connected with the civil list, of great importance, in his opinion, to the proper dignity of the Crown, for the support of which that establishment was granted. He meant that of simplifying the accounts so as to render it clear what part of the civil list went to the maintenance of the royal family, and what was applicable to other purposes, or to services more strictly national. Some approximation to this object had been made in 1816, and he approved of the arrangement then adopted to the extent to which it went. But it had stopped short of the point of real utility, that of reducing the civil list to what might be granted for the regular expenditure of the royal family, and leaving every thing of a fluctuating nature, and all those expenses which were properly national, subject at all times to the consideration of parliament. The most proper arrangement, he thought, would be, to charge the consolidated fund with every expense which might be considered national, and to confine the civil list to what should be actually fixed upon for the permanent expenditure of the royal family. Those charges on the civil list which were of a contingent and fluctuating nature should always remain open to inquiry. The neglect of a regulation of this kind exposed the royal family to imputations to which they otherwise would not be liable, and, owing to the confusion of the accounts, a variety of erroneous impressions were produced on the public mind. Hence, when application was made to parliament for supplying deficiencies, injustice had sometimes been done to the public, and sometimes to the royal family. It would be for their lordships to determine whether it was not proper to require that a separation and simplification of the accounts should take place at a time when they were called upon to consider the whole question of the civil list. He could see no reason for continuing to mix the salaries of the judges, and the allowances to ministers abroad, with the expenses of the royal family, in such a manner as to make it extremely difficult for the public to discover the manner in which the money was applied. These things ought to be completely separated; and as for the fluctuating expenses, the most simple and most useful mode would be, to present estimates of them to parliament from year to year. He had taken the present opportunity of throwing out these suggestions for their lordships consideration, and should now conclude by moving, "That the papers relative to the civil list, laid before parliament in 1816, be reprinted."

The Earl of *Liverpool* had no objection to the reprinting of the accounts to which the motion referred; but, though he did not wish to enter into any discussion on the topics on which the noble marquis had touched, he thought that some things which had dropped from him called for a few observations. He wished, in the first place, to remark, that there was no precedent for the course of inquiry which the noble marquis was desirous of seeing adopted on the present occasion. If they looked back to the commencement of any former reign, they would find no instance of the settlement of the civil list being preceded by a committee of inquiry. It had been, on all such occasions, the practice of parliament to proceed to the consideration of the civil list without calling for any information. He was not then discussing whether this course, which had been followed by their ancestors, was right or wrong; all that he meant now to say, was, that such had been the practice. It ought, however, to be recollected, that their lordships had at present an advantage which had been possessed on no former occasion of this kind. They had obtained, not indeed with reference to a new reign, but to a settlement for the same illustrious person who was now on the throne, all necessary information on the details of the subject which was about to be brought under their consideration. The papers presented in 1816 would enable them to understand all the parts of the subject in a manner for which no opportunity had been afforded on any former occasion. When the question came to be discussed, it would therefore be perfectly competent to any noble lord to argue, on reference to the recorded information, that there ought to be a difference between the settlement for the new reign and that which had been made in 1816. If the noble marquis referred to that settlement, he would find that every thing had been done with respect to simplification, that was practicable. In every step of the arrangement then made the public advantage and interest had been maturely considered. The great object was, to take from the civil list and transfer to the consolidated fund, various payments for services of a public nature which could be advantageously separated. By this arrangement much improvement in the accounts had been accomplished; but it was proposed, that other charges of a fluctuating, an uncertain nature, should be voted annually, and thus made subject to the control of parliament. Upon examination it would, however, be found, that all the articles of this description were of a peculiar nature, to which such a check could not with propriety be applied. The department most subject to fluctuation in its expenditure was the royal household and its fluctuation was owing to the same cause that produced a variation in the expenses of any other family, namely, the difference of prices. Now, as to separating the expenses of the royal family from all charges for the maintenance of the civil government, in the manner the noble marquis had proposed, that was an arrangement of the propriety of which he entertained very serious doubts. The spirit of the constitution required that the expenditure of the Crown should be considered as part of the expenditure of the country. It was doubtless on that ground that the charges for the civil government had been joined to the civil list, and he should therefore consider any attempt to produce a total separation as at least extremely indiscreet. Upon the whole, after the declaration made by the Crown on the opening of the session, and the papers to which their lordships had access, it must be obvious that parliament came to the consideration of this subject under more advantageous circumstances than on any former occasion. Their lordships had before them all the information on which the arrangement of 1816 was made for his present majesty as regent: and here he could not help observing, that if it were thought advisable to draw any distinction between the two periods, he believed the general feeling of the country would be, that the settlement now to be made should be something more rather than something less than the former. But that was not the ground on which he rested the question. His majesty had declared from the throne, that he was satisfied, and had no desire for any increase of the civil list. Their lordships would, then, have to consider, whether they saw sufficient ground for continuing that arrangement. He admitted that the question lay in all respects fairly open. It might be proposed to reduce the establishment; but the expediency of adopting such a proposition would remain for their lordships determination.

Lord *King* wished that his noble friend had given notice of a motion on the subject of his question. He would have preferred that to the present motion; and if the question should be brought forward, he would vote for the appointment of a committee. It was true that the state of the civil list had been taken into consideration in 1816; but then it came before parliament in the shape of a vested interest. It was not a question of a settlement for the commencement of a reign, but for a regent, who administered the government in behalf of his majesty. With regard to the separation of the accounts, nothing could more strongly show the necessity of that separation, than the confusion which arose from some payments being charged, partly on the civil list and partly on other funds. The speaker of the House of Commons, for instance, received one half of the salary from the civil list, and the other half from the consolidated fund. He thought with his noble friend, that this separation was necessary for the proper dignity of the Crown; but inquiry into every branch of the question was peculiarly necessary at a time when the country was experiencing the deepest distress, and more especially when it was proposed that their lordships should renew the settlement of 1816—a period of most lavish expenditure, of great depreciation in the currency, and consequent high price. It would not be doing justice to the country to take the arrangement of that period as a rule for the expenditure of the civil list without inquiry. Among the heads which ought certainly to be separated from the civil list was the charge for allowances to foreign ambassadors, to which his noble friend had referred. The arrangement should be such as to create an inducement to economy on the part of the Crown. Were this done, the Crown, when too lavish under one head, would be obliged to economize under another. This, however, was not to be expected if parliament allowed the present confusion of accounts to continue, and then supplied every deficiency. Grants for this purpose were not made in former times. Throughout the whole reign of George 2nd, the civil list continued as it had been at first fixed. As the matter now stood, there was no inducement to economy. The Crown, for instance, had no interest in keeping down the number of ministers sent abroad, but rather in making as many diplomatic appointments as possible, and allowing the ambassadors to retire on their half pay or pensions; for such a proceeding caused no diminution of the civil list, the deficiency being made up from other funds. He was desirous that a full inquiry should be instituted.

The motion was then agreed to.

HOUSE OF COMMONS.

Thursday, May 4.

London Bridge.] Mr. *S. Whitbread* presented a petition from the Middlesex watermen of the river Thames, complaining of the great insecurity of London Bridge, the danger that attended life and property, and the interruption it gave to the navigation of the river.

Sir *W. Curtis,* admitted that after the presentation of the petition, some inquiry into the state of the bridge was necessary, although he believed it was not in the state of danger described.

Mr. *F. Lewis* said, it was highly necessary either that the worthy baronet or some other member should bring the subject before the House, as unless something was promptly introduced a most serious damage would be done to the navigation of the river below the bridge.

Sir *W. Curtis* said, he should consult with the trustees and other parties interested, and bring the subject subsequently under the consideration of parliament.

Mr. Alderman *Wood* said, an inquiry had been going on for some time by the trustees; but he thought his hon. colleague had best leave the introduction of the subject of bringing it before parliament to one of the gentlemen who presented petitions against the present state of the bridge. As one of the trustees of the bridge in right of his corporate character, he declared himself quite prepared for inquiry.

Mr. *Calvert* thought something that essentially affected the fact was kept out of sight. The corporation of London had an interest in the water-works, with which the taking down of London Bridge would interfere. As an hon. friend of his was about to make steam engines consume their own smoke, he hoped he would also extend his motion to have the water there worked by engines on the proposed new construction, rather than by wheels.

Mr. Alderman *Wood* assured his hon. friend, that the city had no interest in the water-works, except a small rent, which they would not hesitate to give up.

Ordered to lie on the table.

Wool Tax.] Mr. *T. Wilson* rose, for the purpose of presenting a petition from the manufacturers and merchants concerned in the wool trade of the city of London. Adverting to the duty which was imposed upon foreign wool in the course of last year, the hon. gentleman observed that it appeared to him, from the very first, a proceeding of an unwise and impolitic nature, considering that the manufacturing interest of this country was at that time involved in great distresses, and that a very large number of individuals were suffering under heavy difficulties and privations. He had always felt the truth of the maxim, that the imposition of a new duty upon the raw material was a measure never justifiable, except when the trade was in a flourishing condition. The resolutions which had been founded upon these considerations, and transmitted to his majesty's ministers, were such as, he thought, would make out a very strong case. It was evident that the great price of the raw article would enhance the price of the manufacture in proportion; whereas a fall, such as would be occasioned by the withdrawing of the duty, would enable us to meet the competition of foreign markets. It was very true, as had been stated, that a great number of merchants in the city had refused the order which was transmitted to England for the clothing of the Russian army. The more he had extended his observations, the more information he had been enabled to collect upon the subject, he was so much the more convinced that this tax must operate like a mill-stone round the neck of the manufacturer. He implored his majesty's ministers to consider the state of the country, the condition of the manufacturing classes; and to reflect with how much better grace it would come from them to repeal this tax in pity to that country, and to those individuals, rather than to wait till the distress had increased to a degree which should make it imperative upon them to do so.—The petition was then brought up; it prayed that parliament would be pleased to confer upon the wool trade that protection which it had always received under all former reigns.

Mr. *Baring* thought, that a more important subject could not be brought under the consideration of the House. He could not, entirely unconnected as he was with the wool-trade, or with persons embarked in that trade, allow the present opportunity to pass, without saying that he considered this most ancient and valuable manufacture to be in very imminent danger. It could hardly be expected of him to speak more particularly to the subject. He was not exactly prepared to say whether the manufactures of the country could or could not bear this duty of 6*d*. per pound upon the importation of wool. But of this he was quite satisfied, that the duty last year was imposed without sufficient consideration. It seemed to have been laid on by the chancellor of the exchequer, more for the purpose of conciliating some hon. gentlemen who were reluctant to adopt another tax, probably almost equally severe upon them—the malt duty—rather than from other motives. He was quite sure, if it should appear that the manufactures of the country could not stand foreign competition while this tax existed, that to suffer it to continue for one or two years only might be the means of establishing manufactures abroad, which would entirely overcome that competition which we had sustained in their markets for centuries, and which would get to such a head that no subsequent efforts of ours, no mitigation of duties even would be able to undersell or put down. As far as regarded the agricultural interest, he would say that if the manufactures of the country were at stake by reason of the price of wool the agricultural interest was equally so—a fact which could be easily made out. He did not know what course the hon. gentleman meant to pursue, but he could not suffer the matter to pass, without begging that the House would allow him to say, although it was not usual to give that sort of notice in such cases, that he should on Monday next present a petition from the merchants of the city of London, relative to the general restrictions under which the commerce of the country was at present labouring. In conclusion, he begged to observe, that he could not allow a petition like that which had been just presented to be brought up without offering a few words upon it, or without declaring that he considered it one of the most important description. He would say, that no parliament had ever been guilty of greater remissness in the discharge of their duty, than the last parliament had evinced, by the inconsiderate manner in which they had imposed such a duty upon the importation of wool.

Mr. *Wilson* said, that he intended to follow up the petition, according to the prayer contained in it, by calling the serious attention of the House to the subject. But he should let the petition rest at present, until the House was in possession of numerous others upon the same subject, which he expected would be forwarded from all parts of the country.

Ordered to lie on the table.

ROYAL BURGHS OF SCOTLAND.] Lord *A. Hamilton* said, that having been given to understand that there would be no objection to his motion for the re-appointment of a select committee, to take into consideration the various petitions presented from the royal burghs of Scotland, praying for municipal reformation, he should abstain from offering any observations in support of his motion, taking it for granted that the House concurred in the propriety of the course he was adopting. The report of the last parliament was before the House, and he had only to refer to the information it contained, in order to prove the importance of the measure. If it happened that any hon. gentleman either from reading the report, or from any other cause, should offer any opposition to the motion, he then trusted he should be heard in reply, with the view as far as he was able, to remove the objections. He could assure the House, that the question had excited, and continued to excite, the greatest anxiety throughout that part of the country. Though the list of the committee which he had to propose was not exactly what he wished. As one name had been objected to by his majesty's ministers, yet he was determined to make no opposition to the alteration. The noble lord concluded with moving, that the petitions presented from the royal burghs of Scotland, in the years 1818-19-20, praying for borough reformation, be referred to the consideration of a select committee, to examine the same and report thereon.

Lord *Binning* begged to bear his testimony to the very liberal spirit in which the noble lord met the suggestions of his majesty's government, as to the constitution of the committee.

The motion was then carried, and a select committee appointed.

COURT OF EXCHEQUER IN SCOTLAND.] The *Lord Advocate*, adverting to the conversation which had taken place a few evenings ago in the House on the subject of the appointment of a fourth baron of the exchequer in Scotland, observed, that when the vacancy in question occurred, he had been required, in the discharge of his official duty, to make a report, on the recommendation of the commissioners, on the courts of justice in Scotland, to abstain from filling up any such vacancy that might occur after that recommendation. In order the better to enable himself to execute this task, he had submitted the subject to the consideration of the highest law authorities in Scotland, namely, the lord president of the court of session, the lord justice clerk, the lord chief commissioner of the jury court, and the lord chief baron of the exchequer. Those high authorities were unanimous in their opinion as to the expediency of filling up the vacancy. He was solicitous that the House should be put in possession of this report; not because it stated the opinion of the humble individual who addressed them, but because it comprehended the opinion of the highest legal authorities in Scotland on the subject. He would therefore move, "That an address be presented to his majesty, praying that he would be graciously pleased to order that there be laid before the House a Copy of the Report made by the lord advocate of Scotland on the recommendation contained in the sixth Report of the commissioners on the courts of justice in Scotland, regarding the discontinuance of one of the Barons of the Court of Exchequer in Scotland."

Mr. *Abercromby* rose, not to oppose the motion, but to express his extreme regret that, when a report had been made by commissioners appointed by that House, expressing the opinion of those commissioners, that the office in question should, in the event of a vacancy, not be filled up, his majesty should nevertheless have been advised to fill it up. He was happy that the learned lord had moved for the production of this paper, as it was an admission on the part of the learned lord that what related to that court was a fit matter for parliamentary investigation. He was unequivocally of opinion, that into the nature of the court of exchequer in Scotland it behoved that House to institute a diligent inquiry—an inquiry founded on the large and extended principle of separating from official duties branches of business that were not properly compatible with those duties. It was most essential to public justice that the duties of a judge should never assume a political character. On these grounds, and mainly on the admission which the motion implied, of its being the duty of parliament to investigate the subject, he gave his cordial assent to it.

Lord *Binning* said, that the hon. and learned gentleman spoke as if his learned friend had himself originated the inquiry. It was not so. His learned friend had acted only ministerial. The secretary of state having required a report from his learned friend on the recommendation of the commissioners, he had done his duty by appealing on the subject to the highest law authorities of Scotland.

Mr. *Abercromby*, in explanation, observed, that it was substantially the same thing. From whatever source the inquiry proceeded, it was evident that the act of government was in hostility to the opinion of the commissioners. He begged, however, to be distinctly understood, that nothing could be more foreign to his intention than to intimate any thing that was not entirely respectful to the learned lord.

Sir *J. Newport* supported the necessity of an inquiry into the constitution of the court of exchequer in Scotland. It was evident that the information which was to be afforded on the subject, was absolutely forced from government by the observations made by his noble friend.

The motion was agreed to.

GIBRALTAR.] Mr. *Hume*, before he proceeded to the motion of which he had given notice, wished to correct a mistake that had occurred with reference to one of his statements yesterday evening. He had said that in the seventh class of the civil list in 1815, there was to be found an expenditure which he had characterised as useless, namely, the sum of 1,372*l.* payable to the master of the hawks, not the master of the horse, as had been erroneously stated. He now came to the question of the revenue derived from Gibraltar. He had on a former occasion submitted to the House a motion on the subject, which motion he had withdrawn, because it had been declared by the right hon. gentleman opposite, that the House had no right to interfere with the revenue derived from Gibraltar, and that it never had so interfered. At that time he was not so well prepared to meet the right hon. gentleman. But he was now able to inform him and the House, that the revenue derived from Gibraltar had been detailed and laid before the House in the years 1794, 1795, 1796, and 1797. In a note attached to the returns made of the items of the surplus of the Gibraltar revenue, it was stated that an account of its appropriation would be laid before parliament. That account, however, had never made its appearance. It was not only material to obtain this, but it was most material seriously to consider the principle on which the revenue in question had been raised. For his part, he had always been led to believe that his majesty had no right to levy taxes upon any part of his subjects without the sanction of parliament. Let the House also consider the amount of those taxes appropriated to the civil list. That amount, from 1760 to 1820 was 124,226*l.* being 2,070*l.* per annum. The whole amount of the taxes levied on Gibraltar during the last sixty years was, however 860,000*l.* The House ought surely to consider how far his majesty had a right to levy for his own purposes any tax on a colony. He was prepared to contend that no such right existed, and that all taxation on the subject not sanctioned by that House was a breach of its privileges. He begged the House to attend to one circumstance. The right hon. gentleman opposite refused to assign any reasons for the appropriation of the sums in question to the civil list, but said that it was the immemorial usage. The fact did not bear out the right hon. gentleman in that assertion. Let the House refer to the original charter granted in the reign of queen Anne, soon after the capture of Gibraltar in 1704. In 1705, the queen in council declared, for the encouragement of settlers and traffickers in the garrison, that no duties should be laid on ships, goods, warehouses, &c. This declaration had the effect of attracting a considerable number of settlers to the garrison. The returns which he wished to obtain would show what the amount of the duties levied was, notwithstanding that declaration in 1760. In 1794, the amount assessed was 4,000*l.* The House would be surprised to learn that it had since increased to 50,000*l.* To the revenue derived from certain small portions of land, &c. that had devolved to the Crown, the Crown was fairly entitled; but the imposition of local taxes to so heavy an amount was disgraceful and unwarrantable.—He proceeded to another most serious part of the subject. When Gibraltar came into our possession the inhabitants were chiefly, if not entirely, Catholics; and our government being anxious to remove them by degrees, and to substitute Protestants, gave to the latter superior advantages in order to induce them to settle. The Catholics were subjected to a variety of restrictions, which continued until the duke of Kent became governor. With that liberality which always distinguished his royal highness, who felt that the Catholics ought not to remain under any ban of that nature, he represented to government its impropriety and its incompatibility with the peace and quiet of the garrison. In consequence, Mr. Windham, in 1807, wrote a letter to his royal highness, authorising the abolition of these restrictions. But what would the House say, when he informed them that ministers, by a late order in council, had laid a tax on every Catholic and Jewish inhabitant of the garrison. The will of such individual was declared to be invalid without the sanction of the governor; and a capitation tax of ten dollars a year was imposed upon him—a tax existing no where but in Turkey, and worthy of Turkey! But what he thought would surprise the House was, that, exclusively of all that he had mentioned, duties to the amount of many thousand pounds on almost every article imported into Gibraltar had been imposed. On ships touching there, a duty was levied. On a ship of 3 masts, 12 dollars; on one of 2 masts, 9 dollars; on smaller vessels, 4½ dollars. This was in direct contradiction to the original charter. During the year that he (Mr. Hume) was at Gibraltar, 5,000 vessels touched at that port. If they merely anchored they were subject to the duty. There were other taxes levied by the governor, general Don, in the most arbitrary manner, and without even the authority of ministers. In a list in his possession, it appeared that there was one (he would not say improper in its object) imposed in 1816, of 91*l.* a year on every retail wine and spirit shop. He knew he should be told by the right hon. gentleman, that this was confirmed two years afterwards by an order in council.—There were other taxes imposed by general Don on eating-houses, billiard tables, fishing boats, &c., and he was almost ashamed to say that the general had sanctioned the sale of lottery tickets, without the authority of government, by making the venders of Spanish lottery tickets pay a considerable sum for a licence. Whether or not those sums had been brought to the public account he could not say, but he knew they were levied; and he had in his possession five or six of general Don's proclamations on the subject. This practice of levying taxes *ad libitum*, and remitting the produce home for the privy purse of his majesty, without the authority of parliament, was, in his opinion, most unconstitutional. The establishment of the place had also been most unnecessarily increased. He really believed it was increased just in proportion as ministers found it convenient to extend their patronage. He would give the House some idea of the amount of the increase, in order to show the kind of economy observed. During the war there was one town major in Gibraltar; since the peace there had been two. During the war there were two barrack masters; since the peace there had been three. During the war there was one pratique master; since the peace there had been two. Instead of paving and keeping the garrison in repair, out of the duties levied in it, large sums had been at various times voted in the different estimates for those purposes, while the money was all remitted to the privy purse. Now really this appeared to him to be a question demanding serious consideration. If any part of the hereditary revenue was given up by the act of the first of his late majesty, that at Gibraltar must have been given up too. It was not, however, simply the 124,000*l.* that had been applied to the privy purse, but the extravagant establishment—contrary to every principle of economy—which had been kept up, to which the attention of parliament ought to be directed. To him the system appeared to be most illegal and unconstitutional, and one which ought to be abolished. Not any part of the duties raised were applied to purposes advantageous to the establishment. There were in Gibraltar two synagogues, two Roman Catholic chapels, and one Methodist chapel; but there was not one church of the established religion of this country, nor was there one school conducted upon the principles of that persuasion. He would go farther—there was not on the rock any establishment from which any Protestant could receive that religious consolation which he required.—He would now again advert to the revenues of that place, as well as to the manner of their collection. These revenues were collected at a grievous expense. The recent appointments, too, to public offices, were against a positive act of parliament. The act to which he alluded was one which provided against the discharge of the duties of any office by deputy. Mr. Wickham of Lincoln's Inn, had been appointed a receiver of certain branches of revenue, and this office he discharged by deputy. He only mentioned the name of this gentleman as an instance of the many which he could produce, and whether his case came within, or was previous to the act to which he alluded, would be shown upon the inquiry which he proposed.—The hon. member went on to state, that not long ago there was but one commissary of stores in Gibraltar; at present they had three. Not long since they had not a commissioner of accounts; now they had three. During the war a military secretary was employed; since the peace he had been struck off; but he was retained as translator of languages, with the continuance of his previous salary and emoluments. He would not farther detain the House at present. He had three motions to make:—The first was, "for a Return of all the Taxes and Duties levied in Gibraltar in the years 1800 and 1818." These two periods would be sufficient to show to the House the nature and increase of the revenue of that country. His next motion was, "for the Production of an Account of the number and nature of the various Offices and Establishments at Gibraltar, with the Amount of the Salaries and Emoluments received by the different Functionaries in 1800 and in 1818." This would show to the House, how far the system of economy, which was now considered the order of the day, was attended to. His third motion was "for a Return of the Amount of the Revenues of Gibraltar from 1760 up to 1820, distinguishing each year; and also an Account of the

Garrison and other Expenses, together with the revenues transmitted to this country."

The *Chancellor of the Exchequer* said, that he did not rise to oppose the motion; indeed, he had not, with the exception of a slight alteration, any objection to produce the whole of the accounts moved for. He could not, however, help complaining of the uncandid manner in which the hon. member had charged both the governor of Gibraltar and his majesty's council, in the course of his speech, with extravagance and extortion. He did not wish, at present, to go at length into this question, as a proper period would arrive for its discussion. But he hoped members would reserve their opinions until that discussion came fairly before them. With respect to what the hon. member had said relative to the right of the Crown over conquered colonies, he conceived that there was no principle of the law of nations more generally admitted than that which transferred to the conquering sovereign the rights exercised over such colony by that power to which it previously belonged. He did not mean to object to the first or second resolutions; but to the third, he would, if it were not altered, propose an amendment, which was, that the whole account for the time mentioned should be produced, without specifying the items from year to year. He wished at the same time to observe, that there was not any foreign port in which similar duties to those complained of were not exacted. The right hon. member made some observations relative to certain sums remitted from Gibraltar, and received by his late majesty.

Sir *J. Mackintosh*, having had occasion to know something of the administration of affairs in Gibraltar, and being acquainted with certain circumstances relating to the mode of making impositions on the inhabitants, could not but say that their rights had not been treated with that regard and respect which in justice should have been extended to them. At the same time, he meant to admit, that his majesty's government, in the revision of the order in council, to which allusion had been made, had manifested a very commendable anxiety to do all they could to rectify a measure which he looked upon as improvident and bad. He could not, however, agree in the interpretation of the law of nations which had been given by the right hon. gentleman, and which, falling from a person of such high authority, was likely to mislead those who had not considered the subject. He could not conceive any principle of the law of nations which bore out the assertion, that the power vested in an absolute prince became, in case of conquest, equally vested in a king whose power was not absolute. The law of nations only related to the regulation of certain connexions between different nations, and could not decide what power should be exercised by a state over any territory it conquered. That depended on the law and constitution of the country. With respect to the law and constitution of this country, he would state, that if the right hon. gentleman, who was so conversant with questions of this kind, recollected the case of Campbell and Hall, he would find that it was a very disputed point indeed, with whom the right of legislation over a conquered territory rested. That, in one point of view, it rested with the king was certain; but whether the king in council, or the king in parliament, had not, as he took it, been yet decided by those grave authorities whose opinions on matters of such importance were looked up to as conclusive. If his hon. friend, whose laborious attention to this and other subjects which lay out of the way of the general pursuits and studies of the members of that House, and for which he deserved the public thanks; if he would take a suggestion from him, he would rather advise him to accept the proposal of the chancellor of the exchequer, reserving to himself the right of making a more extensive motion at a future period. He thought the accounts offered to be furnished would be, in a general point of view, imperfect; although, perhaps, for the purposes of the approaching discussion, they might be sufficient.

Mr. *Goulburn* complained of the uncandid course that had been taken by the hon. gentleman in bringing forward this question. He protested against the statement which he had made, and which tended to impeach the character of individuals, when merely moving for a return of the amount of revenue raised at Gibraltar. He protested against such a course, because those charges could not be contradicted at the moment. He had no difficulty in saying, that, throughout the long reign of his late majesty, every disposition had been shown to attend to the interests of the inhabitants on the one hand, and to support the just rights of this country on the other. The hon. gentleman had stated that he was ready to prove his charge—he (Mr. G.) was no less ready to show that they were not well founded. The hon. gentleman observed, that he had resided at Gibraltar. It had also been his fortune to have lived there, and he could therefore speak particularly to some circumstances. The hon. gentleman asserted that, though Jews, Methodists, and Roman Catholics had places of worship there, the members of the Church of England were not furnished with a building for the performance of their religious duties. This was not the case. Whether from his being more in the habit of going to church than the hon. member, or from what other cause, he knew not; but certain it was that he found a Protestant place of worship at Gibraltar, and went regularly to church every Sunday. The building was not a very extensive one, but it was commensurate with the size of the place, and the number of Protestant inhabitants. He had seen the troops mustered in it attending divine service; and perhaps he might recal it to the hon. gentleman's mind, by mentioning the monuments that were raised in it to the memory of several officers who had fallen in the naval service. There were other parts of the hon. gentleman's speech which he could meet and refute on grounds equally satisfactory.

Colonel *Dalrymple* said, the inhabitants of Gibraltar were, for the most part, Roman Catholics, Genoese, or foreigners of that description, and Jews; an extensive church was not, therefore, necessary. But there was a Protestant place of worship, and he had attended church for two years. In that edifice there was no want of room for those who pleased to attend divine service. He did not think that the garrison of Gibraltar would thank the hon. gentleman, if they were burthened with a tax for the erection of a church. There were other inaccuracies in the statement of the hon. gentleman, which, at a proper period, he would point out.

The first and second motions were agreed to.

Mr. *Hume* said, he had, in order to meet the objection of the chancellor of the exchequer, made the alteration which he had suggested in the third motion. That alteration had, however, defeated a very considerable part of the object he had in view, which was, to ascertain the annual amount of revenue collected in a certain number of years, in order to show the House where taxation had begun; which would not be affected by the account that would be laid before it. It was said that his statements were erroneous; but at the proper time he would prove the truth of every charge he had made. The charge of having acted uncandidly would apply much better to the chancellor of the exchequer, who had imputed words to him which he had never used. With respect to the quibble about Protestant chapels, the admission of the hon. gentlemen themselves was, that no regular place of Protestant worship existed. He knew there was a garrison chapel. He had himself attended divine worship, when, he believed, it was performed at governor Campbell's house; but there was no regular Protestant chapel for the inhabitants of the town.

The third motion, as amended, was then agreed to.

HOUSE OF LORDS.

Friday, May 5.

Insolvent Debtors.] Lord *Auckland* rose to move for a committee to take into consideration the state of the Insolvent Debtors laws in England. It being understood to be the wish of their lordships, that such a committee should be appointed, he thought it unnecessary to trouble the House with any observations upon the subject. In consequence of an unfortunate omission in the act of last session for continuing the expiring laws, the operations of the Insolvent act had been suspended, and the effect had been the filling of the prisons of the metropolis to an extent frightful to contemplate, and producing an imminent danger of infectious diseases. If to avoid this evil it should be thought expedient that the debtor, through misfortune and not fraud, should not be liable to the imprisonment to which he was now subjected; it would of course be considered just, that the creditor should have additional means afforded him of making the property of the debtor available, as a security, instead of that which he now had upon his person. It was chiefly to this point that he intended to call the attention of the committee. His lordship moved for the appointment of a committee, which was ordered.

HOUSE OF COMMONS.

Friday, May 5.

MACHINERY—PETITION FROM WILTSHIRE.] Mr. *Benett* presented a petition, signed by upwards of 6,000 persons, chiefly clothiers, clothworkers and manufacturers of Wiltshire (as a proof of the respectability of whom, the hon. member said, that among the names were those of eleven magistrates, one of whom was the chairman of the quarter sessions), complaining of the number of manufacturers who, in consequence of the introduction of machinery and other causes, had been driven out of work, and were compelled to have recourse for subsistance to the parochial rates. He could assure the House that this petition did not proceed from any political motive. There was no radical feeling in Wiltshire. Among the manufacturers of that county, numerous as they were, there existed no inclination to encourage sedition, or to obtain a remedy for the evils which they suffered, except by legal means. He hoped, therefore, that this petition would be favourably received by the House; and, however difficult the subject, that the House would feel the necessity of taking every possible means of mitigating the distress experienced, not only by the petitioners, but by the agricultural labourers, who looked to parliament for some alleviation of their case.—The petition was ordered to be printed.

DROITS OF THE CROWN, &c.] Mr. *Brougham* said, that in rising to bring before the House the important subject of which he had given notice,—important, in so far as it was inseparably connected with the question of the civil list,—he trusted they would give him credit, when he assured them it was very far from his intention to trespass more than was absolutely necessary upon their time and attention. They would be the more disposed so to give him credit, when he begged leave to remind them that the bringing forward this question upon the present occasion was in reality none of his seeking. But he stood pledged to submit it to their consideration, and particularly by what passed in 1812, in case his majesty's ministers should think proper to omit it in their arrangements. He appealed to the recollection of honourable gentlemen, whether he had not given that notice, or rather whether he had not been driven into it with unfeigned reluctance, entreating the right hon. the chancellor of the exchequer to submit himself some suitable proposition, which, coming immediately from the ministers of the Crown—directed by their superior information, and, above all, backed by their influence in that House might afford the means of an arrangement beneficial to the public, and agreeable to all parties concerned. He begged also to observe, that it was equally far from his intention, on the present occasion to suggest any thing to the House, either with the view—he would not merely say—of compassing the degradation of the royal dignity, but even of abridging those rights which were the rights and privileges of the Crown, in any one the most minute point, not only of what might be deemed necessary in supporting its weight in the constitution, but of those also which were necessary to its dignity and just splendor. If at any one period of our history it would have been next to criminal to have endeavoured to deprive the executive government of that which was requisite to its own maintenance and honour—and without honour it could not be maintained—if they were necessary to the peace and good government of the country (for which the executive government was entirely in trust), it would be altogether criminal to attempt such a measure in times like the present; for he went as far as any man, as far, he hoped as any of his majesty's ministers, in declaring that these were not times in which it became any lover of his country to tamper with the existing institutions of that country. He desired the support of no gentleman to the resolution with which he intended to conclude, but upon the previous performance of this condition by himself—that he should prove to the satisfaction of all who voted with him, that the measure he should propose was not only safe but expedient—that it not only did not degrade the Crown, but that it manifestly tended to augment its dignity—that it was founded on precedent conformable with principle, and steered within the strictest lines of sound constitutional practice.

Without further preface he would now proceed, endeavouring to bring himself within the limits he had already marked out. He should assume (and he thought he might safely do so, after the subject had been so frequently before the House) that it was needless for him to enter into any didactic explanation of the origin, nature, history, or enormous amount of the funds embraced by the papers upon the table. He should conclude that all who heard him were possessed of sufficient information on these topics, and he would therefore proceed to establish, as he pledged himself to be able to do, that some such arrangement as he should suggest was called for by the situation in which the country now found itself. It was an old and confirmed maxim of our constitution, sanctioned by the opinions of the greatest lawyers, both on the bench and at the bar, supported by the whole current of the most venerable authorities, that the Crown, as such, was incapable of possessing separate property—in other words that the king was anciently held to possess all the lands he held, *jure coronæ* —they were called *sacra patrimonia coronæ:* even lands which he possessed in his private character, before the demise of the crown, were forthwith deemed to be holden *jure coronæ*. Suppose, for instance, the case of the duke of Lancaster; before the crown devolved to him, he was seized of certain lands in his own right as a private baron, but the law of England held that the moment he became king his private rights merged in his public capacity—he was no longer a *terre tenant*, but he retained his possessions as holden by right of the crown of England. Moreover, even if a statute gave lands or any other species of property to the king without naming that it was given to him as king, it had been held that he could only retain them by right of the Crown. The law upon this subject was quite clear, it was indisputable; and he would defy the other side of the House to produce a single *dictum* of a single lawyer, ancient or modern, to the contrary: in fact, no man acquainted even with the mere elements of the constitution would dispute for a moment the solidity of what he had just advanced. He only wished to mention one remarkable instance, to show how far this principle had been carried; and it was the more in point, as it related immediately to the very property now in question. All treasure had been held to be by so high a title merely the property of the Crown, that it had been deemed impossible for the king to make any grant of it, excepting under the privy seal, or great seal of the realm; and the opinion of the highest law authorities proved, that one branch of the very revenue now under consideration was viewed precisely in this light. He alluded to the opinions given by the chief justices of the court of King's-bench and Common-pleas, and the chief baron of the Exchequer, in the dispute between James 1st and the earl of Devonshire, as to some property claimed by the latter in old stores—that antiquated *multum vexata questio* of old stores. This formed one of the latest and best precedents he should have to submit to induce the House to adopt his proposition. Under his sign-manual, the king had granted certain quantities of old gun barrels, rusty-blades, old powder, and rotten cartridge-paper, on the preservation of which, it was now argued by the other side, the dignity of the sovereign so essentially depended. The earl of Devonshire accordingly put in his claim for a fulfilment of the grant against the king's executors, and lord Coke, who reported the case, used the following words upon the subject:—"that the treasure of the Crown" (such as old stores, treasure trove, and the like,) "being the ligament of peace, the preserver of the honour and safety of the realm, and the sinews of war (esteant le ligament de peace, le preserver del honor et safetie del realme, et les sinewes de guerre,) are in such high estimation in the eye of the law, and, with other valuable chattels, are so necessary and incident to the Crown, that they shall go with it to the king's successor, and not to his executors;" and, further on, he added, that the only warrant sufficient to pass such treasure must be under the great seal, or privy seal of the realm. This great authority, reported by such a man as lord Coke, was of itself worth a hundred lesser cases to the same effect. But he could not help adverting to one other, quite as remarkable, in the time of lord Clarendon, when the old constitutional principles were somewhat relaxed. The reign of James 1st, formed one of the best periods of our history, as far as regarded the struggle between the House of Commons and the executive government, on the invaluable principle of a constitutional jealousy of the Crown. But in lord Clarendon's time some relaxation of ancient strictness had taken place; yet even then the same law had been uniformly maintained. The case brought forward at this period referred to certain prizes taken from the Dutch, which the king, under his sign-manual, had granted to lord Ashley, afterwards lord Shaftesbury. On this subject lord Clarendon remonstrated, and boldly used the signal language of the constitution: he told the king, "if a treasurer hath the keeping any treasure belonging to your majesty, without most formally accounting for the same, your majesty might be most abominably cozened in your grants; nor is there any other way of avoiding it, but by issuing them either under the great seal or under the privy seal." And when lord Ashley, on his own behalf, represented the matter to lord Clarendon, the answer was not more courteous. He told him "that this was an unusual and an unnatural privilege; and as it was so, so could it never be allowed in any court of exchequer, which would exact from him accounts both of charge and discharge; and if you, lord Ashley (he added), think of depending on the exemption given you from accounting under his majesty's sign-manual, you may live to repent the day you did so."

Thus much would suffice to show how sacred the principle of the constitution had been, that the king could have no property independent of parliament, and could never allow the issue of any of his treasure without rendering the individual accountable to the exchequer. The House would probably ask when the first inroad was made upon this constitutional principle, and he was sorry to say, that it was so recent as to be within memory: it was made by Mr. Pitt, not longer ago than 1799, when, for the first time, the sovereign, his heirs and successors (for he grieved to say that the enactment was perpetual), were enabled to have property in lands and chattels, and to deal with it as their own, by disposing of it by will or otherwise. So completely were the whole of the ancient constitutional principles upset by this bill, that a doctrine was introduced, germane indeed to the matter now before the House, which showed how those who now supported so strenuously and so anxiously the dignity of the crown were, at the period to which he alluded, willing to lower it in a manner that lord Clarendon would have thought little short of profanation. What would lord Clarendon, or any of our old constitutional lawyers, have said, if they could have seen the act of which he was now speaking, which empowered the king not only to dispose of his crown lands, but to expend all the money he might be able to amass in the purchase of new property of all kinds, which, like a common private individual, he might bargain or sell again at a profit —might give away in rewards to favourites—might dispose of even to enemies —or, *pro tanto*, setting the votes of parliament at defiance, might defeat the whole system and policy of the constitution? But what would have been the astonishment of the venerable authorities he had mentioned, if they had seen one step further taken, still more monstrous and injurious in its consequences? What would they have said to powers given to the king, even to hold copyholds, and thus to become the tenant of his own subject? Well, indeed, might those who had accomplished this degrading innovation talk of the honour and dignity of the Crown, its ancient privileges, and its imposing lustre; and, on the opening of a new parliament, in a new reign refuse to enter upon the subject, because it was inconsistent with the veneration which the nation owed to its rightful sovereign!

So much for the general question of the treasury of the Crown. With regard to the particular funds in question, he was equally firmly established on the opinions and decisions of the ablest lawyers. He begged it to be observed, that he was not going all lengths in arguing this question, because, for a reason he should presently give, though he had never heard it from the other side of the House, he was disposed to allow that, if the Crown was now deprived of these funds, some compensation ought to be afforded. It was well known that in ancient times, out of these resources and other branches of the hereditary revenue, over which parliament had no direct control, the Crown was bound not only to maintain its own splendor, but to provide for all public servants: by degrees various alienations of property, the gradual disuse of feudal customs, and other causes, had rendered its revenue inadequate for these purposes, and it became necessary for the Crown to resort to parliament for sums to meet the exigencies of particular occasions—a most useful necessity; for far be it from him not to admit that the liberties of the country depended upon the gradual abandonment, step by step, of the more profitable, of the more vexatious, and of the most ancient parts of the resources of the Crown, and their gradual merger in the constitutional parliamentary revenue now granted by both Houses. But of old, certain revenues were given to the Crown, not merely for the gratification of the individual who wore the ensigns of royalty, but were vested in him that he might be able to defray the expenses of his government. He would not refer the House to more than one authority on this point, because the position was so clear and indisputable, that it needed, in truth, no support beyond the common knowledge and common sense of every man. Lord Coke held that wreck belonged to the Crown *ex necessitate rei*, because it must belong to somebody, and because there was no other owner: but other authorities viewed it in a different light; they held "that the Crown was entitled to wreck because the king was bound to keep the narrow seas clear of pirates: and wreck, and other such perquisites, were necessary for that purpose." The same doctrine had been laid down by some of the judges, who decided the case of Ship-money. They decided, that treasure *trove*, royal fish, &c. were the property of the Crown, for the purpose of enabling it to defend the narrow seas and coasts of the realm. Justice Crawley was, however, one of the doubters upon this point; for he reasoned, that royal fish were not the property of the Crown on this account—because they were too small, and below the acceptance of the king, upon such conditions. Yet they had not been found too small for the Crown in respect to its dignity. This was rather a refinement of the learned judge; yet, according to him, the sturgeon and the whale were all too small. Had he lived to our times to see the droits of Admiralty, from the body of a whale or the tail of a sturgeon, swelled to many, many millions of money, he would not have argued that they were too small for the acceptance of the Crown. He wished not to be misunderstood: he admitted, that as the law now stood, a great change had taken place in the management of the revenue of the Crown. It had no longer to perform the duty of governing the country at home, of defending it from foreign foes out of its own exclusive resources. Step by step, one after another, the burthen of each branch of the public expenditure had been removed from the Crown and laid upon the shoulders of the people. Yet, extraordinary as it might seem, though the king paid nothing towards the defence of his subjects, nothing towards driving pirates from the seas, nothing towards the "tuition and good government of the realm," (as it was worded in the statute of Henry 8th), he still kept the whole amount of his revenues from the droits of admiralty, amounting in the last reign to not less than 13,700,000*l.* In one sentence, this was the beginning, middle, and end of his argument. He had already said that he was in favour of compensation; since, in his view, to adhere, under existing circumstances, to the strict letter of the law, as it regarded the Crown, or any other great public corporation, would be the height of injustice: in the words of the antiquated law maxim, the greatest injury or injustice often arose out of a close adherence to the line of justice. Discretion might require, that that which had been long established, even though no legal title could be shown, should not be disturbed: mere prudence, if not a regard for the safety of the constitution, might render it unfit to vary what had been settled for ages; and if he found himself supported by analogy in another case, his opinion in this respect would be more confirmed.

He was aware that on this subject he differed from some of his hon. friends, but his opinion was in favour of compensation, and he supported it by the recollection of a case exactly parallel. He took his analogy from the manner in which the public had dealt with another great corporation; and the House would bear in mind that the point he was discussing was, the propriety of allowing a claim in opposition to the strict legal letter of right, as it respected the monarch, that great civil corporation. If he could show that there was a great analogy between this civil corporation, as respected the droits of the Admiralty, and an ecclesiastical corporation—the Church of England as respected tithes—he thought he should go far to satisfy many gentlemen that compensation ought to be allowed. The House was probably aware that the clergy were burthened with the support of the poor, which, in fact, had occasioned the fourfold division of the tithes. By degrees it was found that they were inadequate to the purpose, more especially after the dissolution of the monasteries under Henry 8th. The great fund for the maintenance of paupers was thus so much diminished, that it was not thought just to keep the tithe-holders to the strict letter of the law. The claim was therefore tacitly, and but tacitly, abandoned by the public. Here, then, was a case precisely analogous to the present. Originally the church had tithes burthened with the support of the poor. Originally the Crown had droits burthened with the payment of the public service. Step by step, during the reigns of Mary, Edward, and Elizabeth (for it was not done by one statute, as was often mistakenly supposed), the public undertook the maintenance of paupers, and relieved the clergy; and in the same way, step by step, the Crown had removed from the Crown the onerous duties that formerly belonged to it. Compensation was given to the clergy, by not requiring them to do what they had before been compelled to perform: and why in this case ought not the analogy to be followed up by taking possession of the droits of the Crown, with its consent (for by consent these matters were always arranged), and assigning to it such an equivalent as should be just, reasonable, and consistent with the depressed state of the country? How this compensation should be ascertained—whether upon an average of past years, whether upon a computation of the different amount of droits in peace and in war—and in what way it should be paid, were details with which he would not now trouble the House: he only wished it to support the general proposition, and to countenance the propriety of making some arrangement in the way of compensation. While touching upon the subject of arrangement, the observation, which must have struck every man at all acquainted with the documents regarding the civil list, naturally forced itself upon his mind, namely, that nothing could be worse adapted either for distinctness to its managers, intelligibility to the public, or for the real comfort, honour, and dignity of the Crown, than the whole method, if method it might be called, in which the civil list had been settled. Suppose any man, not very well versed in the *minutiæ* of finance were asked, how much the revenues of the king of England amounted to in a year, what answer could be given? He might appeal to several honourable friends near him, who had passed a long life in the investigation of matters of public expenditure, whether they would be able to give a satisfactory reply without at least half an hour's calculation. Every body could tell what was the revenue of the French king, of the American president, or formerly of the Dutch stadtholder; but as to the salary of the king of England, with which he supported the splendour and dignity of his Crown, no man who was not a perfect adept in finance could give any conclusive information about it. Had not blunders been already committed regarding it, fatal to the dignity of the Crown? When he said fatal to its dignity, he was only using a strong mode of expressing his sense of the great injury it had sustained: the system of obscurity and mismanagement on the subject had in this view been fatal to the dignity of the Crown, but, if possible, more fatal to the interests of the people. The same dark, confused, Gothic arrangement existed at the time Paine wrote his book, thirty years ago, wherein he complained that the king of England was a most expensive public officer, and enjoyed 900,000*l.* a-year for performing very easy and pleasant duties; adding, in his homely, coarse, but strong and expressive language, "I will engage to find an able-bodied man who will do it all for 500*l.* a-year." But the serious part of his statement was, that not one of the million to whom he addressed himself had the means of contradicting his statement. Suppose any man had told Paine, "You are a gross and wilful exaggerator; nay, I go further, and say that you have stated a downright falsehood;" he would reply, "How do you prove it to be untrue? Show it to be false from your civil list." "Oh," (his antagonist must rejoin), "the civil list proves nothing: those sums are given not only to pay a civil officer, but to support the honour and dignity of the Crown." "Very well," (Paine would add), "then show us how much is for the civil office, and how much for honour and dignity." Here the dialogue must stop of necessity; for, though a chancellor of the exchequer might be able to give a satisfactory answer (though he had seen a chancellor of the exchequer, who, he more than suspected, would be put to a *non plus* on such an occasion), yet the thousand and the million to whom Paine addressed himself would be as incapable of deciding the matter, as if the dispute had related to some of the nicest and most abstruse points of law. But let the House look at the title of the civil list acts, for the same title was common to them all. From the first hour they came into fashion to the present moment, the words had been precisely the same. When, therefore, Paine asserted that the king of England, merely for filling a civil office, was paid 900,000*l.* a-year, his antagonist might reply—"No such thing; what does the civil list act say, but that it is "for the better support of his majesty's household, and for the honour and dignity of the Crown?" The same retort, such as it was, would have served, even had Paine survived to this day; for the answer might have been furnished out of the very explanatory resolutions of the chancellor of the exchequer: it was declared to be the opinion of the committee, that "for the support of his majesty's household, and for the honour and dignity of the Crown," there be granted so many hundred thousands a-year. He (Mr. Brougham) demanded, therefore, in support of the sovereign, in support of his best rights, of his character with his people, whether this was fair play? whether what he had read was a just and true, or a foul and false, statement? Was it dealing fairly with the king to mix up with the little he was allowed (and a little it comparatively was) to defray his private expenses, and really to keep up his honour and dignity, the salaries of the judges, the income of the chancellor of the exchequer and his friends, salaries to foreign ministers, and a vast accumulation of claims and allowances to officers, great and small, of all sorts and conditions? Some of them it was below the dignity of the sovereign even to name, and all below his true honour and character to have mixed up and confounded with his own person and demands. Was not the honour and dignity of the Crown best consulted by keeping all such accounts separate?

But he should be told, that it was fit and necessary that the old mystery should continue, though in private life it could be considered little short of absolute drivelling to confound things in themselves so distinct. Would not any man keep separate the accounts of wages and salaries—of his butchers' and bakers' bills, and of the expenses of his farm? He would thus be able to see by which of his concerns he gained, and by which he lost; and might with convenience at the end strike a balance, and ascertain what surplus remained in hand. Yet what was the strange advice of the chancellor of the exchequer? "Jumble the whole together, confound one account with another, in such a manner that it shall require an acute and accurate accountant, with much knowledge of finance, to decide how much is paid for wages, how much for the necessaries of life, or how much is expended on improvements." "But," cried the right hon. gentleman opposite, "to simplify matters in this way, to make accounts clear and explicable, would be beneath the dignity of the Crown." Admitting it for a moment, was there nothing to be gained by it—were popularity and the full approbation of the king's subjects worth no consideration? Supposing there might be some slight defalcation of dignity, was there no advantage in preventing great defalcations of a pecuniary kind, which had been perpetually occasioned by this absurd, confused, Gothic mode of keeping accounts? After all, where would be the loss of dignity, if the people told their prince—"You shall be paid largely, liberally, cheerfully, without a murmur from the people, who well know that your interests and theirs are inseparably united —not as at present, but by a fixed, constant, determined grant out of the consolidated fund." That, in truth, was his proposition; but the chancellor of the exchequer, in his love for mystery, seemed to think that there was something sublime in obscurity. The misfortune for him, however, was, that we lived in a prying age, when men would not be satisfied with being told that they must not examine and scrutinize; and when they did inquire, they would find that, among the hereditary revenues of the Crown, the sovereign did not think it below his dignity to have his revenue made up of one penny per barrel upon ale, and one halfpenny per gallon upon whiskey. This paltry pittance was accepted in exchange for the great feudal relics of wardship and purveyance—the especial jewels in the crown of a feudal sovereign—the gems that gave glorious lustre to his ancient, real, and solid dignity.

He would now call the attention of the House to the report of the committee of 1815, which gave evidence of such mismanagement as he had never before seen, nor even heard of. It pointed out the origin of that confusion which appeared almost to be the incurable disease of the civil list. They would there find that a part of the royal family was provided for by grants from the consolidated fund, while the provision for another part was charged on the civil list. The sovereign was there recommended to give up a great part of the civil list, and to receive a remuneration out of the consolidated fund, and he believed a bill was introduced for that purpose. But this was not all. The House was not aware of the company into which the sovereign was forced, in consequence of the present system. No petty prince, no baron of the German empire, was ever placed in worse company than was the king of England, by the present classification of the civil list. If they would look to page 54 of the report, they would find mentioned, amongst other high characters, the vicar of the Tower. This great officer of state (and he wished all other state officers were equally useful and equally cheap) was set down for a stipend of 6*l.* 13*s.* 4*d.* He was connected with the seventh class. The different claimants rose, step by step; but this individual, ranked as he was with those who received thousands, only cost his afflicted country 6*l.* 13*s.* 4*d.* Then came the vicar of St. Botolph, Aldgate, who received 1*l.* 15*s.* They next arrived at a certain set of officers, who, although not always treated with respect, were certainly very useful — he meant the churchwardens! There was a sum of 7*l.* 13*s.* 4*d.* set down for the churchwardens of St. John the Baptist; and for the schoolmaster of Southwell 10*l.* The ark itself did not contain a greater variety of beings than were to be found marshalled in the civil list. There were corporations sole, and corporations corporate—persons of every description—individuals of all degrees—but, generally, four or five of each; sometimes, indeed, to make the thing the more extraordinary, there was only one. The two universities were also introduced. There were fellows without end. Emanuel college, he supposed, for pre-eminence, stood by itself. Then came the corporation of Lyme-Regis, to whom a payment of 25*l.* was to be made, towards the erection of their pier. Then there were the master of the field sports, the master of the hawks, and the master of the ceremonies. But not only were those who superintended the chase, the amusement of hawking, and the dance, paid out of the civil list; the expenses incidental to the keeping of wild beasts were also entered amongst the items. The keeper of the lions in the Tower was enumerated amongst the officers; and not far from him they would find the gentleman usher of the Black Rod. Next came the "Exchequer watchmen." He did not know whether the gentlemen opposite looked strictly after them; but it appeared that these individuals were paid the moderate sum of 108*l.* a-year, as a reward for their vigilance in guarding the public purse. He hoped those who moved in a higher sphere, where dignity of station was considered, but perhaps profit more, and whose demands amounted yearly to thousands, would prove themselves to be equally good and faithful guardians of the Exchequer as these watchmen were allowed to be. He, however, defied the gentlemen opposite, be they ever so well intentioned—he defied the officers and advisers of the Crown, pure as their views and feelings might be—let their objects be ever so upright, and their economy ever so rigorous—to do their duty to the public as in these times it ought to be done, so long as the civil list continued to present to the people a page of inexplicable mystery.

He would now briefly call the attention of the House to the reasons which made him think it absolutely necessary that a different arrangement should take place. His notion of the civil list was, that whatever appeared to be necessary for upholding the state and dignity of the monarch should be liberally and cheerfully given. He conceived that it should not be voted, once for all; but that it should continue as long as those circumstances remained under which it was granted. When they became altered, it was right that parliament should make a new arrangement. Why was the settlement made permanent? Because, for the term of his life, the sovereign gave up his hereditary revenues. But, notwithstanding that, circumstances might, from time to time, make the old arrangement improvident. It was, indeed, most fallacious to say that you must take the hereditary revenues for the life of the king; and, in consequence, that you must allow him a certain grant, without the possibility of revising the arrangement. It might, in this instance, be a short life, which God forbid! it might be a long and prosperous one, which God grant! but, with this contingency before them, it was the greatest blunder that sensible men ever made, or could ever make, to come at once to a final arrangement of the civil list. The House could be practically convinced of this fact. His late majesty reigned for sixty years; and during that period there were six new arrangements, besides eight different payments in aid of the civil list. It would appear that even nine years were too long for the continuance of this provident system. The arrangement of 1760 was made as if it were supposed that the monarch was to live only nine years; but in 1769 a debt of half a million had accumulated; and in 1777 it was found necessary to grant 100,000*l.* more per annum. An arrangement for life could not proceed on any one conceivable principle. The existence of the monarch might be short; in which case the provision might happen to be too much—it might be long, and then, perhaps, the provision would be too little. The only impartial course was, for parliament to take possession of those hereditary revenues—to place them to the account of the consolidated fund, and to pay, from the latter, a proper sum to maintain the dignity of the Crown. They should wholly separate from the civil list the salaries of the judges, the salary of the Speaker of the House of Commons—a situation that should be as independent as that of the sovereign himself—and the payments made to foreign ministers. There was a great number of contingent charges connected with the civil list. These were, a sum of 35,000*l.* to be given to this minister—a sum of 32,000*l.* to be paid to a colonel somebody for a trip to Paris. He did not mean to say that these were improper; they might be very necessary. But let any individual look over the accounts, and he would at once perceive that the whole of these items would be as soon paid, if an estimate of them were laid on the table of this House, unless they were manifestly improper, as they were under the existing system. Why could not these demands be submitted to the House, in the same way as the army extraordinaries were laid before them? Why could they not be introduced by estimate and proposal? Why should not questions be asked, and explanations be given, within the walls of that House? That was the only course that could satisfy the public—that could enforce economy—that could prevent abuse. There might be a difference of opinion on one point—he alluded to the household expenses, and the manner of defraying them. On that subject he would give no decided opinion; but he thought an estimate of those bills might be made, and provided for, adequate to the dignity of the Crown, and commensurate with the situation of the country. As to all other charges, there was no shadow of reason for not granting them out of the consolidated fund.

With respect to that separate fund, the droits of Admiralty, which had been so often before the House, it possessed all the bad qualities of a fund of that description. It was a large, lumping sum of money, which might be perverted (and the possibility was quite sufficient for his argument) to bad and dangerous purposes. If the House asked him for an instance in which that fund had been abused, he was not bound to answer the question; but he would, notwithstanding, advert to some cases which fortified his observation. In the first place, he would mention to the House how the sums which formed the droits of the Crown accrued. Gentlemen supposed that they were confined to droits of the Admiralty; but they were greatly mistaken. There were other sources that placed large sums in the hands of the Crown. In 1807, the sum of 130,000*l.* fell to the Crown, in consequence of the demise of a rich lunatic—at least, so he understood. In the same year, an individual who had no heirs, died intestate; his property, to the amount of 47,000*l.*, went to the Crown. In 1809, the Crown got possession of 62,000*l.* in the same way. He did not mean to say, that the enormous expenses of the Crown did not demand large supplies; but he would contend that a fund of this description, beyond the reach of parliament, possessed the worst qualities. Other sums, much larger in amount, were supplied from different sources. In 1804, prize-money to the amount of 105,000*l.* was received on one occasion. In the same year there was another sum of 40,000*l.*, and a third of 55,000*l.* In 1806, those droits were augmented by 155,000*l.*; and at one period there came in nearly the whole proceeds of the Dutch prizes, amounting to 1,057,000*l.* From the Spanish condemnations the sum of 2,200,000*l.* was derived. So that large sums were not wanting in the list any more than small ones. His late majesty was graciously pleased, in the session of 1806, to communicate to parliament, that, in consideration of the heavy expense of carrying on the war, and the distressed state of the country, he would, out of his own particular funds, grant a sum of 1,000,000*l.* in aid of the supplies for the year. The House voted his majesty a loyal and grateful address, in consequence of his liberality. Did he, in mentioning this, mean to insinuate that the House behaved too obsequiously, in expressing their grateful acknowledgments for the gift of a million sterling, to enable the country to carry on what (at that time) was an unfortunate war? He intended no such thing. But he must say, that their forefathers would have stared to see a thing so unusual. They would have been astonished if they had beheld the monarch, instead of calling on parliament to assist him with a tenth, coming down to the House as a giver and dispenser of money—as the benefactor of those from whom, according to the safe and sacred course of the constitution, all money, for public purposes ought to come! Here they had matters reversed—the Crown, not asking for assistance, but giving it; —that House, not requesting aid, but the Crown, of its own mere motion, imparting it;—parliament not receiving the royal approbation for its liberality, but thanking the Crown for its benevolence, in giving up a sum of money which was equal to an extensive impost. There was another source, too, of great importance, though not so productive as those to which he had alluded, the proceeds of which were applicable to the same purpose. He meant the revenue derivable from Barbadoes and the Leeward Islands, from Gibraltar, from Scotland, &c. which amounted to a very large sum. How was it disposed of?—In pensions. It was not under the control of parliament, and might be expended as the reward of good services or bad services, or as the meed of favouritism, or for no services at all. So that the property of those dying intestate or lunatic, the proceeds of certain captured vessels, and the other sources of revenue which he had mentioned, might all be employed in the furtherance of corrupt practices or of special jobs, or to induce individuals to undertake particular duties. He did not mean to say this in an invidious sense. He would not contend that such an use had been made of those funds. He merely alluded to the possibility of their abuse; and he conceived that pensions derived from those occasionally-accumulating funds were not so pleasing to the public as those which came through the more regular and steady channel of the legislature. If any pension were necessary to be granted to a great naval or military character—to earl St. Vincent, to lord Hutchinson, to lord Nelson, or their heirs—was there an individual in that House who would not feel it to be his duty to recommend a grant to those gallant commanders, or their relatives? If such a proposition were made, it was sure to be carried? But the privilege of the Crown was not always so wisely exerted. Individuals were honoured with pensions who had not assisted in defeating Buonaparté in Egypt, nor in effecting any other public service. The right hon. gentleman opposite, for instance, had the good fortune to obtain a pension. He did not, however, mean to say that he did not deserve it. Lady Grenville had also procured a pension. He introduced that circumstance, because he thought it fair to give an example from his side of the House as well as from the other. He did not mean to say that those individuals would not have procured their pensions if application had been made to parliament; but he was well assured that they would not have got them so unanimously, as that House would have conferred a similar mark of approbation on lord Hutchinson, earl St. Vincent, or lord Nelson: and he was equally well convinced, that no minister would have proposed a pension so cheerfully to the persons to whom he had in the first instance adverted, as to those whom he had recently named. No: a minister proceeded in a different course. He deemed it more advisable, where there was any doubt of success to screw a pension out of some fund over which parliament had no control, rather than bring it under the consideration of the House. Doubtless, the right hon. gentleman opposite, to whom he had before adverted, deserved his pension [Hear, hear!] This cheer proved the truth of his argument. If a pension had been called for by that House, to reward the merits of those great commanders whom he had mentioned, he should not have heard the voice of his hon. friend (Mr. Wynn); but the moment the pension of the right hon. gentleman opposite and that which was granted to one of the Grenville family were noticed, the mind of his hon. friend was roused, and his jealousy was awakened. He was sure his hon. friend would have raised his voice against those pensions, and that they would not, at all events, have been carried unanimously. [Hear!] When he recollected the case of sir Home Popham, he could not but join in opinion with those who declared that those funds were sometimes abused. At the end of a long war, when a peace of proportionate length was supposed to have been attained, that gallant officer, feeling all the ardour of a high and generous mind, and disliking sloth, inactivity, and idleness, sought the field of his former glory, the theatre of his bold achievements. Enamoured of glory, and wishing to gain new laurels by exploits on the ocean, where he had already been so successful, he engaged in a smuggling transaction! [A laugh.] Different men sought fame by different roads. One individual looked for it in the field of battle, where he would perhaps find death; another sought for it through the medium of smuggling, and found captors. The gallant officer having procured simulated papers, and all other instruments necessary for his purpose, proceeded on board his ship, which he named the Etrusco. He sailed for the East Indies, where he arrived in safety. But the best-conducted enterprizes sometimes failed, particularly on an element which was as proverbial for its uncertainty, as it was famous for the glorious scenes that had been acted on it. Commodore Robinson unfortunately fell in with and captured this great contrabandist, and his vessel was condemned by a competent jurisdiction. But how did the matter end? Instead of handing over the proceeds of the ship and cargo to the captor, who had done his duty to the country, 20,000*l.* and the expenses of the suit were given to the gallant officer, to comfort him under his disappointment. Sir Home Popham, it appeared, was a man of fine feeling—indeed, the man of sentiment and the hero always went together. His family, at the time to which he alluded, was on shore, and sir Home thought, "I have exposed myself to the perils of the sea, to the rage of the enemy, and to the persecution of the king's proctor; and God forbid, when I have an opportunity of seeing my family, that I should stay on board." He accordingly went on shore in a boat. But what became of the boat, or rather, as Mr. Windham had said, of the two boats? That would be presently seen. A soft intercourse was observed to be carried on during the night, between the boats and sir Home's family, and the sentimental trips from the ship to the shore continued until morning. But there was another person, whose case was much harder than that of this gallant officer, who had not supplied any of the money necessary for furnishing out the adventure. That individual was Mr. Charnock, of Ostend, who procured the funds that were requisite: so that the person who advanced the money lost all, while he who originally had none received a very large sum. This was unfortunate for Mr. Charnock; but such circumstances would happen to the best of smugglers [A laugh.] He stated this, as one instance, to prove the possibility of these funds being abused. Of one thing he was quite certain, that, whether it was right or wrong, the minister who had those funds at his command, although he might propose pensions in an open and public way, if he pleased, would always take a more secure and secret course—that of conferring them out of these droits.

But, if these droits were suspicious in their progress, and of dangerous application in their result, they were, he thought, in their origin, ten thousand times worse. They offered a temptation to the Crown and the minister to embark in wars, which ought not to be thrown in their way. When he said this, he did not believe that any sovereign, since the reign of Charles 2nd, would involve himself and his country in a war, merely for the gain of a few millions. The idea, however, that during a contest, eight or nine millions would be added to these funds, might mitigate the dislike to a state of warfare in the minds of some men. He did not, however, mean to argue the question in that point of view—because he believed that no king would go to war, that no minister would plunge his country into hostilities, for gains of this kind. But undoubtedly the effect of the system was to make them go to war in an un-English manner. The tendency of those funds was, to give ministers a direct interest in proceeding to hostilities before a declaration of war, and thus they lowered the honour and character of the country [Hear!]. Gentlemen who had heard this subject discussed were aware of what he was about to state; but, for the information of those who were not conversant with the question, he would observe, that every prize made before declaration of war, was a droit of the Crown, and was added to those funds. Let gentlemen only observe the nature of those funds and ask themselves whether they ought not to be viewed with jealousy? Let them consider well whence they arose, and how they accrued, and they would find that they were premiums for going to war without the usual proclamation. On those funds ought to be written, in indelible characters (he feared it was already written in characters of blood on the pages of our history)—"These funds are the purchase-money of the honour, the good faith, the pure and unsullied good name of England." If he wanted a proof that they were so, he had only to refer to the Dutch war in the time of Charles 2nd: that war was undertaken for the purpose of seizing the Smyrna fleet—for which perfidious action Providence punished that monarch, by overwhelming him and his ministers in discomfiture and disgrace. But, to come to later times, what did they think of the Dutch—what of the Spanish prizes? 2,200,000*l.* were acquired by attacking unarmed, defenceless men—men who knew of no reason for such a proceeding, except that they had dollars on board their ships [Hear, hear!]. He vowed to God, he had never yet talked to a British officer on the subject—he had never spoken of it to a gallant officer with whom he had the honour of being connected, and who had the misfortune of taking a part in the transaction—but the events of that day were described as sufficient to make an English seaman hang his head with shame. It was, however, enough for his argument to show, that a fund of this kind was a fertile source of temptation. Charles 2nd had yielded to that temptation, and other monarchs might hereafter pursue the same course. All foreign nations deemed this country most liable to be plunged into a war for the purpose of enlarging this fund; and that circumstance alone ought to cause the House to unite in wiping away so foul a stain from the national character. They ought the more readily to do so because it would take from their enemies and rivals who were continually slandering the nation on that account, all reason and all inducement for continuing their abuse. His advice, in plain terms, was this:—let the Crown be requested to give up those funds; let a proper remuneration be given for them; let fair and just terms be offered; and henceforth let the dignity and splendor of the monarch be supported out of the consolidated fund. Similar changes had been formerly effected. The same thing was done in the reign of Henry 8th, when an act of parliament was passed, by which the power of the Crown, with respect to certain ecclesiastical matters, was limited. The 12th of Charles 2nd afforded another instance. By that act, the right of wardship, knights' services, and several other privileges were surrendered. He particularly called on the House to look to the preamble of that act, which ran thus—"Whereas wards, purveyances, &c., and their consequences on the realm, have been found, in practice, more burthensome and grievous to the kingdom than beneficial to the king." This was precisely the principle on which he acted in calling for an alteration of the system with respect to these funds, which were more injurious to the kingdom than beneficial to the king. Again, by the statute of Anne, first fruits and tenths were given up, although they had been conferred on Henry 8th, to hold to him and his heirs, independent of all church claimants. As to the four and a half per cent fund, he did not consider that in the same light. How that fund came into the possession of the Crown he did not exactly know. The subject was involved in considerable obscurity. All he could find was, that in 1663 an act was passed by which the island of Barbadoes granted unto the king a duty of four and a half per cent on their native commodities, expressly for the maintenance of the public sessions for the reparation of the forts, for the building of a sessions-house and a prison, and all other public charges incumbent on the government. How long this fund was applied according to its original intention he did not know: by degrees, however, it was usurped, and, instead of its being appropriated to purely colonial purposes the mother country got hold of it for her own use. At length it came into the sole possession and use of the Crown. How this happened he had not been able to trace; but he saw from the parliamentary records, that after the restoration of Charles 2nd, during the reigns of James 2nd, and even, of William, this fund was enumerated as a matter of course, and without observation, among the smaller branches of the hereditary revenue: it was not, however, described as a droit. At last, in the reign of queen Anne, there came a petition from Barbadoes and the Leeward islands complaining of the misapplication of the fund. The House listened to the petition, and, acknowledging that the fund had not been applied as it ought to have been, addressed the queen to restore it to its proper uses. Her majesty accordingly gave it up for the purposes for which it had first been granted.

After this he lost sight of the fund, and could not discover by what process it became a droit of the Crown. It was somewhat curious that after queen Anne's acknowledgment that it was not hers, that it belonged to the colonies, and that parliament had the control of it, it should neither go to the use of the colonies, nor fall under the inspection of parliament, but make a dead stop, and become the absolute property of the Crown. So it was, but the cause and history of the fact were buried in obscurity; all that was known was, that it was the fund for obscure pensioners of all descriptions [Hear].

He regretted that he had detained the House so long: all that he begged of the House was, to consider that the arguments adduced by the other side of the House when he last brought this motion forward, did not now apply; it was now a new reign; and if now, in opposition to the clear law of the question, in opposition to the constitutional view of its principle, in the face of numerous precedents of mischievous abuse derived from history—if now the House neglected the opportunity of wiping away a foul blot on the honour of the country, by giving up a vile relic of feudal barbarism, useless for any national purposes, and serving only as an occasion of calumny to our carping rivals and bitter enemies—if now when this mischief could be done away, without injury to the Crown and with benefit to the people, the House should suffer the opportunity to be lost, it would, in fact, go the length of saying that these droits ought to remain for ever a lasting anomaly in the law and constitution, a perennial source of abuses, and a perpetual stigma on the character of the country [Loud and repeated cheering for some minutes]. The hon. and learned gentleman concluded with moving, "That it is expedient with a view to the arrangement of his majesty's civil list, to take into consideration the Droits of the Crown and Admiralty, four and a half per cent West India duties, and other funds not usually deemed hitherto to be within the immediate control of parliament, and to make such provisions touching the same as may be consistent with the honour and dignity of the Crown, the interests of the subject, and the maintenance of the constitution."

Mr. *Canning* began by observing, that if any stranger had entered the House during the last few sentences of the hon. and learned gentleman's speech, without knowing what had been his previous argument, such stranger would have been induced, from his high tone of indignant remonstrance, to imagine that the hon. and learned gentleman had been called upon by some pressing necessity to make a stand against some new assault of arbitrary power—some sudden encroachment of ministerial rapacity. He would have conceived, as soon as he learned the subject of debate, that some extraordinary augmentation to the royal income was contemplated; and this, without any regard had to the present state of the country, and utterly inconsistent with the universal and acknowledged practice of the constitution. That stranger, must, however, have been somewhat surprised at the motion which followed this vehement declamation, for he would see that the motion distinctly recognized that the funds in question had never been deemed as under the control of parliament, and had always been dealt with as it was now proposed to deal with them. If this stranger had heard the speech without the motion, he would have thought that all the innovation was on his (Mr. Canning's) side of the House, and that the hon. and learned gentleman was the champion of established usage; he could not have supposed that no new burthen was intended, but on the contrary, a strict adherence to an old compact, which had been long and well-considered; and that he who declaimed so loudly in favour of the constitution was the first to propose innovation, and, as the price of such innovation, was willing to impose a new burthen on the people. As to the temptation thus held out to his side of the House, he could answer for his colleagues, and (he trusted he might say it without disrespect) he could answer for the Crown, that they and it would reject the boon which was offered as an inducement to sell the royal prerogatives. He could assure parliament that there was no disposition on the part of his majesty's ministers to depart from a practice made sacred by long prescription, unless, indeed, some system was presented to them whose advantages were obviously greater than those incident to the present usage. As to one branch of the funds under consideration, that connected with the droits of admiralty, the hon. and learned gentleman objected not only to its disposal and general administration, but had argued that the fund should be abandoned altogether.

In his view the fund had made the country odious throughout Europe. Now, supposing this to be the fact, he did not see how the case would be bettered by putting such a fund under the control of parliament. The character of the country would be left just as it was. In order to be consistent with his argument, the motion of the hon. and learned gentleman should have been of a different description—it should have been an address to the Crown to abolish the fund altogether. In addition to its inconsistency, the motion has been interposed in a most unusual manner and season. During four reigns, and for upwards of a century, the invariable practice had been, that the settlement of the civil list should be the first subject arranged by parliament at the beginning of a new reign. The hon. and learned gentleman might, perhaps, inquire, why, then, did not ministers bring the subject forward before the dissolution? To this he would answer, that it being evident that the public business could not be brought to a close within such reasonable time as belonged to the constitutional existence of the old parliament, it had been thought adviseable, for the benefit of all, that the dissolution should take place immediately. He could not enter now into all the reasons of the measure, but he could say that it was adopted in the most perfect spirit of fairness and candour. As soon, however, as the new parliament was assembled, it was naturally its first business to arrange the civil list. The proposition from the throne stated that no new burthen was contemplated for the support of the civil government and of the splendor of the Crown. It asked nothing beyond the last arrangement; with respect to which it might be observed, that from the experience of four years it had answered the expectations of those who framed it. It was ungraciously said, that though no new fund was wanted, yet it was the business of the House to see whether there was not something to take away. For himself, he certainly had not anticipated such an objection; and he thought it neither expedient nor fair. If the civil list exceeded the usual stipulation, then there was a cry of wasteful excess; if it came within the usual limits, then parliament was called upon to examine into such suspicious economy, and to see if something might not be cut away by act of parliament from funds which were already retrenched, without permission first had and obtained. All that was desired on the part of the king's ministers was, to adhere to the old arrangement without any augmentation; and it was too much to say, "you are too well satisfied, and it is our duty to see whether we cannot take something from you as a punishment for being so easily contented." The hon. and learned gentleman had fairly, indeed more than fairly, professed his willingness to make compensation for all he should take away; so that the question, as far as his argument was concerned, was not one of diminution or retrenchment, but of bargain and sale, with the chance of inflicting further burthens on the people.

The hon. and learned gentleman had derived his arguments from historical precedents, some of which, however, had not been stated with his usual accuracy. He should take the liberty of following him shortly through some of his cases. To begin with the 4½ per cent fund; it was undoubtedly true, as had been stated by the hon. and learned gentleman, that it was a subject involved in considerable difficulty and obscurity. It was true that queen Anne, on the petition of the inhabitants of Barbadoes, had, at the recommendation of the House of Commons, given up her control over this fund; it was also true that the original grant to the Crown had been accompanied with a stipulation that it should be employed in the repairs of the public works of the island. But he believed, that though this was the consideration of the grant, yet its origin was the giving up of some quit-rents, and the settling of a disputed title. It was true that queen Anne, in answer to the application of the House of Commons for an annual account of the duties, promised to give directions accordingly. The result was, that this fund, which had formed part of the civil list of king William, did not appear in her civil list, and had not since appeared, except when called for from time to time by addresses of parliament. The usage, however, of four reigns, a space of upwards of a century, established the existence of the property, and the custom and power of granting pensions on it were co-existent with the first mention of its origin. The hon. and learned gentleman had asserted, that when a pension was to be bestowed for great public services, ministers had no hesitation in coming to parliament, because parliament in such case, had no reluctance in giving; but that it was the evil of those uncontrolled funds, that they enabled the Crown to bestow secret bounties on obscure favourites. This was a singular character of a fund, one of the first names on which was the illustrious William Pitt, earl of Chatham; and one of the last, Edmund Burke. He would not say any thing as to the deserts of either of these pensioners; but, as to the point of secrecy, he would ask, whether the names of William Pitt and Edmund Burke were not precisely those which were most known over the whole kingdom? And surely the Crown would not have granted pensions to those illustrious men on a doubtful fund, the title to which was likely to be disputed. The popularity, indeed, of lord Chatham was so great, as to shut the eyes of the people, however illegal the title might have been: but it was not so with Edmund Burke, high as that great man stood in the admiration of Europe, he was not so generally popular at home; at the same time he was of a size to attract universal attention; he had himself been a reformer of the civil list and of the pension list, and any grant made to him would be watched with peculiar jealousy. Must he not therefore himself have felt convinced that his pension was charged on a solid fund? [Hear and a laugh.] If any gentleman wished to degrade that illustrious statesman, he left them to the consolation of such a sneer; but, for himself, he would say that the great man to whom he alluded was as far above ridicule as he was above praise. His reason, however, for alluding to him was, to show that he had deeply studied the subject of the Crown revenues; and knowing that his right to a pension would be disputed, he would not have accepted one on a fund the validity of which was not ascertained. The only objection, therefore, that could remain as to this fund, was its liability to abuse. Mr. Burke, when he was reforming the civil-list, had examined its character and use; and, after the deepest consideration, had thought it best to leave it at the disposal of the Crown. As to its liability to abuse, from the concealment with which its proceeds might be distributed in pensions, he was ready to state, for himself and colleagues, that the amount of that fund, and its application, should be laid annually before parliament, as matter of course, and without any previous motion [Hear, hear!]. The hon. and learned gentleman had not explained how the droits of admiralty were to be administered except by the Crown. The right of the Crown to this property he would not now discuss, but only the mode in which it had been administered. In the course of the late reign, the whole proceeds of this fund had amounted to about 9,700,000*l*. Out of this there had been paid to captors and claimants and for various law expenses 5,372,000*l*. There remained, therefore, something more than 4,000,000*l*; to be accounted for. Out of that sum 2,600,000*l*. had been contributed for the public service: and two several sums had been given—one in aid of the civil-list, the other of the 4½ per cent fund; the first of these contributions was 1,300,000*l*.; the second 40,000*l*.: there remained, therefore, about 380,000*l*. to be accounted for: this sum had been paid partly in donations to different branches of the royal family, and partly in entertainments to foreign sovereigns. The expenditure, however, of the whole, had been communicated to parliament. It was true, that the account had not been laid before the House as a matter of course, but in consequence of motion and discussion. He was ready, however, now to meet the hon. and learned gentleman fairly on this point; and he would tell him, that it was part of the new arrangement that an account of every grant out of this fund should, as a matter of course, and without address, be laid before the House in every session, immediately after such grant [Hear!]. So that the only distinction remaining between him and the hon. and learned gentleman would be whether the grant should be discussed in the House in the first instance, and be conferred in consequence of a parliamentary vote; or whether it should first proceed from the Crown, and then be submitted to the cognizance of parliament. He did not mean to say that this distinction was a trifling one, or one that did not deserve the most serious examination. All he meant to say was, that the ministers of the Crown were not prepared to propose that a long and almost immemorial usage should be abolished without the most striking proof that such usage, though co-existent with the practice, was incompatible with the spirit of the constitution—He came now to another part of the hon. and learned gentleman's speech—a part in which the hon. and learned gentleman must himself acknowledge, on mature reflection, he could not have spoken his genuine sentiments when he proposed the change which he did propose in the revenues of the Crown. The hon. and learned gentleman had admitted that there was no remarkable abuse in the application of the funds in question, and that many of the pensions would have been readily granted by parliament. To lord St. Vincent, lord Nelson, the duke of Wellington, parliament would have granted pensions without any hesitation, according to the hon. and learned gentleman; but it would not be so with pensions for political services, if submitted to parliamentary investigation. "The hon. and learned gentleman states truly (said Mr. Canning) what he says of those on this side of the House, and what I would say were I where he sits, but I think it better that the patronage of the Crown should reward public services by property under its peculiar protection, than that a democratic assembly should dole out largesses and favours according to the impulse and force of passion, party, or canvass. We have had instances enough, in our own memory, of what party canvass can do [Cheers!]. Setting on the one side the chances of favour, canvass, party, and inadvertency—on the other, the chances of extravagance—I do think the Crown the better trustee. I complain, therefore, of this part of the speech, because the hon. and learned gentleman is too well read in the principles and practices of popular assemblies to be ignorant of the change that would take place to the prejudice of the people and of public men, if he were taken at his word, and if this task of giving pensions for political services were abandoned by the Crown, and should fall into the management of this House: I complain that, for the sake of a rhetorical flourish, he had used such an argument, independently of the change which must attend its success. If the present state of the droits in consideration is sanctioned by long usage, if it is not stained by abuse—and in the long period of sixty years the hon. and learned gentleman has hit upon only one questionable case, and that case questionable only in the view which he has taken of it; and I confess that I am not sufficiently acquainted with its circumstances to go into details; but when that pension was given it was discussed, and this House gave its opinion upon it:—if in sixty years only one suspicious case can be found, then, in addition to usage, there is the recommendation of experience and practice not to depart from the course hitherto pursued.—I come now to the more general argument, which I have already alluded to; it is, that in aggravation of funds being at the disposal of the Crown without previous sanction from parliament, that for obtaining those funds, and for pecuniary purposes, the Crown is likely to conduct the country to war wantonly and lightly. I entreat of the hon. and learned gentleman not to concede any thing to the moral character of the administration—I entreat of him not to concede any thing to the character of the existing sovereign—and, in a constitutional view, nothing of this kind ought to be conceded. The hon. and learned gentleman spoke properly of Charles 2nd, for a king once departed from life is fair subject of animadversion. But I ask, whether, on the average virtue of kings and ministers, if you place four millions—and that is beyond any case that can be imagined—if you place four millions against all the evil, the danger, and the disgrace that must overwhelm them when the proceeding, perhaps in twelve hours after, becomes known to parliament—I ask, whether in such a case, any administration would rush into war? I ask, whether, in times such as we live in, for the sake of any haul of droits of admiralty; I do not say the sovereign—I do not say his ministers; but whether the vilest mind that ever meddled with public affairs, or contemplated public administration, could recommend a wanton and unjustifiable war?—So far as to the motive supplied by the droits for going to war. Against this we can set on the other side the salutary practice of the Crown. During the long period of the last reign only 9,000,000*l*. have been accumulated. If we were to enter into the causes of war, we should find, not in one, in two, in three, but in many—in all cases, the arrangement which the hon. and learned gentleman opposes, and of which he wishes the contrary to be adopted, has tended to save the country from war. If the droits were not committed to the Crown through the proper courts of law, but were submitted to parliamentary control, the difficulties of amicable adjudication would be increased tenfold. The desire to hold the balance equal—and, if wrong was done on one side or the other, to make amicable reparation—would be counteracted by national heat, high and romantic honour, and other feelings, which would naturally prevail in an assembly like this. It would be impossible to avoid war. For the very purpose, therefore, of avoiding rash and unnecessary war, it is necessary to exclude such questions from the knowledge—that is, from the official knowledge—of parliament, till every claim has been heard, and a final adjudication made. If any private wrong should have been committed, if any inadvertent measure should have been adopted, not only the difficulty, but the inconvenience of retracing the first step, or of persevering in the course once hastily taken, would be increased by the change. If it were necessary to come down at once to parliament, and state that so many ships had been captured, and were at the control of parliament, the question would arise, was the capture just or unjust? If it should be judged unjust, the administration would be condemned; but what has this to do in repairing the wrongs of a nation? If it were thought just, war must be entered into, although policy might dissuade strongly from war. No reason, then, can be found in the usage, in any constitutional defect, or in the application of the droits for the change proposed. Every reason and every argument, arising from the first nucleus of their formation to the expenditure of the last farthing, distinctly shows that we should be wrong in changing the control of the droits in question. In the hands of the Crown, then, they are best placed, to be exercised as every prerogative of the Crown ought to be—for the benefit of the people for whom the royal prerogatives exist.—The only other argument for departing from usage on this subject is, that the whole department of the monarchy may be recast, and for the sake of doing away with every vestige of feudal monarchy. That we could erect something new that would merit great praise, I am not prepared to deny. The new fabric might be clean and neat as the American government, and intelligible as the presidency of the United States. But I am unwilling that every trace of antiquity should be done away in the British constitution. Nothing is so easy as to frame a system that will look neater on paper—a system that, by stripping the king of all exclusive and princely ornaments, would render the monarch and his ministers, in dignity and form, what they are in reality, but in a more suitable and efficient character—the mere functionaries of the people. There is but one step further to complete the improvement, it is, as the king is paid a fixed and calculated salary, so that ministers be removed in form as they are in substance, as well as new ministers appointed by this House. The monarch would then be separated from all the darkness of ancient times; but I do not think that the admirers of Paine's plans would be satisfied with all this. I admit that the hon. and learned gentleman would be satisfied with seeing the monarch thus stripped naked, but they would say that his salary was still too large. Mr. Canning said, he did not think that they would be satisfied without removing all the lines of circumvallation, which, thank God, the arm of a traitor must pierce before the constitution of this country would remove. The hon. and learned gentleman had amused the House by reading on the 7th head of the civil list many ludicrous charges. Much as he admired the talents of the hon. and learned gentleman he thought they were here misapplied, for he answered all the observations of this sort when he admitted, at the conclusion of his speech, that he had not made up his mind whether the insulated king should have the control of his own household; whether the various items of charge in that department should be audited by a committee of this House, or by the king himself. If the household were not given up to his majesty's management, the civil list could be quoted and exposed to much greater ridicule than the hon. and learned gentleman had thrown upon the part he had selected. Unless the monarch should be put on board-wages, and should dine in a chop-house, they must come to the monstrous conclusion, that there would be more dishes on his table than he absolutely required. If the king lived in this guilty state, and his expenses were audited by parliament, there would be more ludicrous charges than those for the worthy vicar of the Tower, and the not less worthy keeper of the lions of the Tower. Here the right hon. gentleman read rapidly from the civil list, "Oilery, grocery, lemons, fruits, and oranges, milk and cream, butter, cheese, and eggs, bacon, butcher-meat, poultry, fish, and vegetables, stationer, china, and brazier, cider, and brandy, beer, bread, and wine"—all those were detailed in that account, and must form part of the household charges. On the subject of the household the hon. and learned gentleman ought to have made up his mind before he had brought forward this question; for it was as easy to do so on that subject as on the other points on which his motion was founded. When he had entered that House he had expected something more practicable from the hon. and learned gentleman than a proposal to strip the Crown, at one sweep of a right that had adorned it since the Revolution; to divest the king of his peculiar power and privileges; to make the civil-list less involved by making it entirely new. His proposal was as impracticable in its nature as it was undesirable in its effects. At every former period the civil-list was more obscure and complicated than the civil-list now proposed. Considering, then, the greater complication of former times, and the greater intelligence of the present time, he did think, although they had not arrived at the *summum bonum* of the hon. and learned gentleman that they had made considerable progress from obscurity and confusion for every former report had been less intelligible than that of 1816. He did not think that by laying an estimate before the House of every item, they would give greater satisfaction to the country, or that they would allay the discontent of those who were now dissatisfied by putting forth the precise charges more distinctly. It was not necessary, for the purpose of satisfying the people of this country, to separate the Crown from its concomitants. Whatever illusion (or, if they would, delusion) there might be in such an opinion, he was not for stripping off from the monarchy every thing which rendered it respectable in the eyes of the country. He objected to the motion of the hon. and learned gentleman, because it was ill-timed and undeserved. If any new demands had been made, if any proposal had been presented that might lead to new burthens on the country, he could understand why, in the ardour of repelling such a sally, gentlemen should be carried, as it were, into the work itself. But when nothing was demanded; when the sovereign he would not say consented—declared that he would receive with gratitude and satisfaction the civil-list that had been acquiesced in for four years; when this declaration was made, when the sovereign expressed himself satisfied, and declared that he would have no reduction made upon any sums falling in to the country, what was the return? "Aye, but you have other funds, and we wish to have them taken from you; we wish you to be a king after a new fashion; we require your allowances to be limited to your physical wants; we desire you to rival the president of America [Cheers]. Oh, incomparable temptation! But he would not be induced by this temptation to strip off trappings which were neither costly to the people, nor dangerous to the constitution. Technically speaking, he admitted that this was a new reign. On other occasions there had been a sameness of office, with a change of persons; on the present occasion there was sameness of person with a change of office. The change was not so total as when one formerly a subject became the sovereign; for it was only the investing with original sovereignty one who had exercised it in a vicarious character. It would be easy to show that the difference of claim ought in this case to be the other way. They (the ministers) adhered to the pledge given, and nothing was asked; but nothing could be more natural than that he who became king from being regent should consider himself entitled to some augmentation. But no augmentation was asked. And here he would state that the idea of any augmentation of the civil list was never contemplated for a passing quarter of an hour and never for one moment intended. This he thought it necessary to state distinctly, because a report of a different kind had gone abroad. He hoped that the House would take the opportunity of availing themselves of the confidence expressed by the sovereign—that they would not reject his demands—that they would not seek to strip him of his rights—that they would not stoop to consider whether they could save by his promotion. He certainly did not mean to treat with any disrespect the motion of the hon. and learned gentleman, and disclaiming any such motive, he should conclude with moving, that the other order of the day be now read.

Mr. *Brougham* explained, that the right hon. gentleman must have misapprehended him, or, in common policy, he would not have so far misrepresented what he had said. He had not supposed that the droits occasioned war. No king nor House of Commons would ever be so mad as to go to war for the sake of droits of the Admiralty. What he had said, and what the right hon. gentleman had left untouched, was, that the droits were a temptation to go to war without proclamation. As to all that the right hon. gentleman had said of the monarch's physical wants, it was inapplicable. He was for giving the monarch all that they were for giving, but in a separate and definite form.

Mr. *Canning* admitted that the explanation made the argument quite different; but the reference to the Smyrna fleet appeared to him to go a little further.

Sir *James Mackintosh* said, that if he chose his station in debate otherwise than from a sense of duty, most assuredly he should not have taken the station which brought him so nearly into contact with the great and powerful speech of the statesman and lawyer who introduced the subject, nor that which called upon him to reply to the eloquence and talents of his right hon. friend who had just sat down. Considering the speech of his hon. and learned friend as consisting wholly of reason and knowledge, and entirely free from objections usually made in that House—considering that it discussed exclusively a great and grave question of state policy, without turning it at all into a means of acquiring popularity or an instrument of inflammation, he could not regard the observations which he was now to attempt to answer but as ingenious fallacies. One of the topics urged by his right hon. friend—he could not call it argument, although it was a topic often used with effect, and its general effect he did not wish to lessen—was the reverence for feudal monarchy and gothic government, the charge of stripping the Crown of its trappings, and the monarch of his dignity. This topic was inapplicable altogether on the present occasion; for the speech of his hon. and learned friend expressed as strong a regard for the law, for the constitution, for the honour and dignity of the Crown, as any speech that had ever been uttered in that House. His right hon. friend ought to view feudal monarchy as connected with all its evils, with the baneful and oppressive evils which were gradually removed during four centuries — from Magna Charta to the statute of Wards and Liveries. This was the olden time so warmly eulogized! This was an attempt at celebrating the golden age of old times, which he thought more suitable to a venerable major out of doors, than to his right hon. friend [a laugh and cheers]. The bold and presumptuous renovators, the barons at Runnymede, had not such veneration for the olden times and the feudal monarchy. The feudal monarchy was continually attacked and stripped of some of its appendages, from William the Conqueror down to William 3rd. The Bill of Rights, and all the proud charters of our best rights, were so many attacks and encroachments on the feudal monarchy and the practices of the olden times. His hon. and learned friend had stated that since Charles 2nd the droits had not involved us in war. This he had ascribed not to morality, but to policy. He had distinctly applied his objection, not to the droits causing war, because they could not reach that; but to their influence in occasioning actual hostilities before a declaration of war. The point of objection was the manner of going to war. If even this abuse had never existed, he should still contend that it was a sufficient objection that there was a peculiar liability to this abuse. Nay, it was a sufficient objection that we were suspected and charged with this abuse in foreign countries. This suspicion excited much additional jealousy of what we could not surrender without danger—he meant our important maritime rights. It was prudence, it was wisdom, to reform what rendered us odious without making us formidable, and at a time when the reform could not be imputed to fear or force. This reform we owed, first, to a sense of justice and moderation, and next, to a sacred regard to our own conduct and reputation, which we were bound to maintain. For illustration of this point he would take the liberty of stating the conduct of another nation. In 1812, when we engaged in war with America, the American government allowed six months for all ships to leave their ports after the war commenced. A representation was made of the hardships of not having longer time: longer time was granted. In one of the courts of law in Massachusetts the question was tried, whether the government had a right to grant such time, or whether, according to common law, which was the same in America as in England, the ships had not become droits of the common-wealth there, as of the Crown in England. The courts found that the order of government was conformable to the law of nations, and the ships were enlarged. It was remarkable, that the courts held not only that the enlargement was conformable to the law of nations, but also to Magna Charta. When the minister of the American government, at the congress of Ghent, asked for similar indulgence for his countrymen, he did not meet with reciprocal liberality. The answer given to him was indeed the only answer which could be given to him under existing circumstances; for it informed him, that restitution of the property seized could not be made, as it was not the property of the captors, but the property of the Crown. After such a fact, he would ask them, in the first place, whether it was not natural for foreign courts to suspect that wars were sometimes made by our court with no other view than to support this fund? and, in the second, whether the House, if it consented to the measures now proposed by his majesty's ministers, would not be creating another obstacle to the destruction of it? The American government had certainly a right to expect that the English government would adhere to Magna Charta, and Magna Charta expressly declared, that no foreign merchant should suffer, either in his person or in his chattels, upon a declaration of war, though he might be compelled to wait in England until it was ascertained how Englishmen were treated in the other country. This was, however, the law in the golden times of old, but not at the time of the seizure of the Smyrna fleet. His right hon. friend, however, was so sensibly alive to the high character of his late majesty, that he had charged the learned gentleman who had brought forward this motion, with the commission of an inexpiable offence in speaking of the Smyrna fleet and his late majesty in the same breath; forgetting, however, that his learned friend had expressly stated that he did not mean to accuse any king who had reigned in England since Charles 2nd, of a similar act of folly and injustice. But his right hon. friend, in reply to the eloquent mover of the debate, had gone so far as to assert, that the fund in question was not so much calculated to prove an incitement to war, as a preventive of it; and had backed his assertion by alluding to the case of the Swedish convoy, in which, as he said, restitution was made to the captured from the droits of Admiralty. He (sir J. Mackintosh) had been employed as counsel in that case, and might therefore be supposed to have some acquaintance with it; and yet it appeared to him to be totally irrelevant. The right hon. gentleman had alluded to it, under the idea that there were no other funds in existence from which restitution could be made; and if such had really been the case, his argument would indeed have been unanswerable. But that was by no means the fact; it was nothing more than mere supposition; and yet upon that as a foundation, the eloquent speech of his right hon. friend entirely rested. He could not indeed hope to rival the eloquence of that speech, but he would not despair of conquering it in argument. He should therefore assert, that there were other funds from which redress in case of injury might be obtained, and that the mode of arranging them was so clear, that if it were referred to a committee for half an hour, they would understand its purport and perceive its utility. Indeed he had at that time in his hand a bill for that purpose, which he had prepared four years ago, whilst the subject was then under discussion; he had not submitted it to the notice of parliament at that period, for certain reasons which it was unnecessary for him then to explain—the reasons might be good or they might be bad—he had, however, acted upon them; and if he had been mistaken in doing so, he had been misled by the ministry of the day, who declared, that though the civil list, as then constituted, was founded upon an express bargain made between his majesty and the country, and therefore could not be disturbed, a time would come when the whole subject would be open to free discussion and examination, and that then would be the period for introducing any such measure as he had contemplated [Hear!]. But now that the time for introducing some such measure was at last arrived, his right hon. friend came forward and informed them, that to enter into any such examination would be, to make a very bad return to the gracious declarations of his majesty king George 4th. His right hon. friend had told them, that his majesty had no wish to add to the burthens of the country, that he was most anxious to alleviate the distresses of the people, and that he had displayed all the sources of his revenue to his parliament; and that it was, therefore, the duty of parliament to behave as generously towards him as he had behaved graciously towards them. What was the real answer, then, which parliament ought to make to this appeal? Why, that in compliance with his majesty's desire they would take into their most serious consideration, how far they could relieve the people from their burdens without detracting from the honour and dignity of the Crown. After he had arrived at this point, his right hon. friend had shown very great eagerness to transfer the discussion to the civil list; but into the discussion of that question it would be highly improper to enter, without first entering into the investigation which his hon. and learned friend had that evening proposed to them to pursue. In the reasons which his right hon. friend had adduced for refusing an inquiry into the droits of Admiralty, there was one great and surprising fallacy: it was this, that he had spread them over the sixty years of the late reign, whereas, eight millions of them and more had been accumulated during the war which had raged during the last twenty years; the other 750,000*l.*, which was placed at the disposal of parliament at the peace of 1763, proceeding from the capture of the French ships which were taken at the commencement of the war in 1756. Hence it appeared, that in the thirty years intervening between the years 1763 and 1793, the droits of Admiralty amounted to a very inconsiderable sum, whilst in the twenty years that afterwards ensued they increased to such an amount, as to give his majesty a clear income of more than 400,000*l.* a year, not voted by parliament, not recognized by parliament, or not recognizable by parliament, but to be recognized and made recognizable by it at some future period. If such a circumstance could have been foreseen in the first year of the reign of George 3rd, when the civil list was under discussion, and the sum of 800,000*l.* was proposed to be given to him as an annual revenue, would it have been looked upon as an indifferent circumstance? Certainly not: on the contrary, it would have formed so important a consideration, that it would have been impossible to have overlooked it. It would have occurred to the parliament then sitting, that a revenue arising from such a source was a fluctuating revenue; and that, as it was a fluctuating revenue, it would be impossible to decide what was the amount of an income, partly derived from such a source, and partly derived from a parliamentary grant. This suggestion occurred to him forcibly at present; and he therefore looked upon the motion now proposed to them as a preliminary measure, which they were bound to discuss before they determined on assigning any fixed revenue to the Crown.—Another question, in his opinion, was, whether the revenue derived from these sources was proper and decorous? and upon this point he was happy to say, that his right hon. friend had admitted, that on which he (sir J. Mackintosh) contended the whole of the case to rest. He had admitted that the island of Barbadoes had petitioned against the assignment of its colonial funds to British purposes; he had admitted that the constitution of that colony gave them power to apply those funds to their own purposes, and therefore that any other application of them was absolutely unjust. He had therefore admitted all that was requisite to show the impropriety of attaching this revenue to the Crown, though, indeed, his admission of it was not wanted. It was sufficient for his (sir J. Mackintosh) argument, that in the reign of queen Anne, both the queen and the parliament had acknowledged their error in the application which had been made of them; the fact that they had afterwards continued to be applied to the same purposes was nothing to him; he was well aware that the application of them could not be set aside in a court of law—but that was not the question at present. The question was, whether parliament would still continue to allow the funds belonging to the inhabitants of Barbadoes, who had no person to represent their interests in the House of Commons to be misapplied in the manner which they had been? In the consideration of this question his right hon. friend seemed totally to have forgotten that they then were not debating whether a smaller or a larger sum should be granted to the king, but whether the interest of the state and the honour of the Crown, would be best consulted by the continuance or the discontinuance of these sources of revenue. To this question not one of his remarks was applicable. It was true that a great part of the droits of the admiralty had been made over, voluntarily made over by the king to the public service, and that another great part had also been applied to the recompensing the meritorious, but irregular captors. He conceded that the rewards paid out of this fund had been, for the most part, judiciously bestowed; but he would ask, whether suspicions had not arisen in consequence of some officers of great merit having been overlooked, that these grants were conferred, not so much as marks of merit but as marks of favour? To abolish, therefore, this method of reward, by abolishing the fund, from which the reward was taken, would also tend to abolish the idea of abuse which had arisen out of it. But then these droits of admiralty were defended as a privilege, a valuable and honourable privilege, of the sovereign. What! were they to hear the power by which the Spanish frigates were captured denominated a valuable jewel in the Crown? were they to consider the proceeds arising from the sale of them honourable to the Crown? were those proceeds to be deemed a fit source from which a parent was to bestow his bounty on his children? or were they to be accounted as proceeds equally disgraceful to the giver and receiver? For his own part, he considered them in the latter point of view—for a revenue was well-derived which was derived from the benevolence of the people: but ill derived which was derived from such an act as the seizure of the Spanish fleet—an act which had been compared as equal in atrocity to some of the worst examples of Turkish piracy. It would therefore be more honourable for the sovereign to derive his means of gratifying his paternal affection from the affection of his subjects than from the spoils of his enemies—his unarmed, his unoffending, and his defenceless enemies. But it was said that, if a compensation were to be afforded to the sovereign, it must be a liberal compensation. To this proposition, he, for one, had no objection; and he would so arrange that compensation as to take care that it was not productive to the sovereign of any extra-parliamentatary revenue. Indeed, he should consider the House dead to all sense of shame if they were not most eager, on many accounts, to grant such a compensation to their sovereign. In the first place they would by such a compensation abridge the means of corruption; in the second, they would prevent the Crown from being held up to public view, as deriving benefit from the exercise of the harshest laws of war—rights which, though they might be properly exercised in those times of feudality which his right hon. friend had chosen as the subject of his panegyric, were now generally considered as cruel and inhuman, and, in the third place, they would protect the maritime rights of the country, which in future times were likely to become more difficult to protect than they were at present. Of these rights, though he would maintain some as intimately connected with the honour and safety of the country, he would give up others because they rendered us odious without rendering us formidable. With regard to prizes taken at sea, he held opinions not very different from the bulk of the country. Those opinions he held to be founded upon the law of nations; and he would have them maintained at every hazard, because they were connected with the national honour, which it was requisite to preserve untarnished, if the nation did not wish to sink into the condition of a secondary state. It was, however, these very opinions that rendered England unpopular amongst foreign nations; they were blended with our commercial wealth, and arose from the very causes which had cramped the pretensions of foreign powers; they were interwoven with our earliest history, and had existed from the treaty of Oleron, in the reign of Richard 1st, down to the present times. From a combination of causes like these, from the exertion of these harsh and disgusting rights, we had acquired the title of "tyrants of the sea." On the subject of prizes in general, he did not know that there was any subject on which his first thoughts had differed so much from his second. He had observed that on land private property was safe, but that at sea it was not safe. He thought this extraordinary at first, but he was now convinced that it was perfectly right, because ships were adapted for purposes of invasion. The droits of Admiralty had been defended on another ground—that they were applied to the relief of British subjects who suffered by seizure of their goods in a foreign country on a declaration of war. This had been the case, after the seizure of the Spanish frigates; part of their proceeds had been applied to the relief of the British subjects whose goods had been confiscated at Cadiz. But in the case of those British merchants whose property was seized in Denmark, after the attack on Copenhagen no such redress was afforded, though the Danish droits of admiralty amounted to 2,000,000*l.* and though the British property confiscated did not exceed a tenth part of that sum in value. The merchants had presented petitions, but in vain; they were told by a noble lord that though such relief had been afforded in the case of Cadiz, that was a dangerous precedent, and could not be followed: so that the very point was negatived on which the advocates for the droits of admiralty contended for their continuance. And yet, if there ever was a case where relief ought to have been granted, it was to the British merchants who lost their property in Denmark. The government of England had lulled them into security; till the very sailing of the British expedition Danish clearances were made in our ports. He did not blame government for this, because secrecy might form a part of the policy of the expedition; but he did blame them for this—that when no British subject could have expected such measures to have been pursued, from the security into which they were lulled, the droits of admiralty had not been granted; and that refusal destroyed the argument which was founded on the application of them as an indemnity for confiscation. He was ashamed of having troubled the House so long; but he had risen to make a few observations in reply to his right hon friend, and the subject had carried him further than he originally intended.

Mr. *Marryat* rose to state some facts which had come under his own knowledge respecting the droits of the Crown in conquered colonies. In Trinidad, the owners of land had been required to take out new grants for their lands, with burthens attached to which they had never before been subject. He saw by the Trinidad gazette that 4,800 acres of land were offered to sale on the part of the Crown, being confiscated under the new regulation. These confiscations had taken place in the only two parishes which had yet been surveyed for the purposes of the new regulation, out of the 32 parishes in the island. If the others yielded confiscations in the same proportion, there would be 155,000 acres in the whole island. What this land would sell for it was not easy to ascertain; if for 4*l.* an acre, the amount received by the Crown would would be nearly 700,000*l.* from that single island. As he could not consent that the Crown should be left in possession of a revenue thus uncertain in amount, and thus unjustly derived from the fruits of triumphs effected by national expenditure, he should vote for the motion.

Mr. *Wynn* said, it was his intention to detain the House only for a few moments. His object was, to explain an allusion which had been made by the hon. and learned gentleman who opened the debate to a pension said to be enjoyed by the lady of a noble friend of his. The fact was, that noble lord had the pension on his retiring from his majesty's service, and subsequently it was granted for life to his nearest and dearest relative; but since then circumstances had occurred from which it had been given up. He was certainly of opinion that an account should be rendered to parliament from time to time of those sources of revenue to which the motion referred; for he held that they were not intended for occasions of private gratification, or for the privy purse of the king, but for the advantage and benefit of the people. Now he conceived that this end would be completely answered by the plan of the right hon. gentleman. For if the amount of those sources, or their application, were annually submitted to the House, it would be seen whether any improper payment had been made from them, and in that case ministers would be strictly accountable for any misapplication. This, he contended, would be a better and more economical arrangement than any compensation which could be made. He saw no ground whatever for making a compensation: for in that case the compensation, whatever it was, would go to the privy purse, over which parliament had no control; but in the other case, if a large surplus should remain from those droits at particular periods, they would be carried to the account of the country. And this led him to what had been said with respect to colonial revenues. It would be in the power of parliament to see the application, if those taxes were increased, or if a large surplus remained; but he could not see how any surplus could remain; for it should go to the support of the service of the colony itself, the raising of troops, &c. Considering the subject on these grounds, he thought that the same end would be answered by the plan proposed on the other side, and he should therefore vote against the resolution.

Sir *J. Newport* said, that as he considered that the power which the present system would give to the Crown was open to great abuse, he should vote for the resolutions. With respect to the revenue of four-and-half per cent, it was said that it was intended for the service of the colonies, the erection of fortifications, and other purposes; but he would ask whether it had been so applied? Why, then, should it be maintained nominally for purposes to which it never was really applied? With respect to the droits, he contended that they ought not to be applied for such uses and in such manner as they now were. He had witnessed the disastrous effects produced by seizures similar to those from which those droits arose, and he had seen no redress afforded. The House were told, on several occasions when this subject had been brought forward, that the period would arrive when it might be more properly discussed; and now, when that period had arrived, it was said that the subject ought not to be touched. He had always found it to be the practice of men in power to refer to some distant period any important question of reform or inquiry; but when the period arrived, there were not wanted persons to rise in their places, and lay it down as a rule almost, that such change or inquiry should not be made. He was certain that all those connected with the commerce of the country would be anxious that some arrangement should be made so as to do away with those droits, and that the purchase would be a cheap one even at a great price; for they considered them as lowering this country in the eyes of other nations, and our merchants suffered for them in foreign countries.

Mr. *Macdonald* said, that after all which had been heard from time to time on the subject of economy, after the many promises which had been made, it might have been reasonably supposed that the present period would be one when something would be done for the benefit of the people. If such a supposition had been entertained, was it not, he would ask, borne out by the promises of Mr. Perceval at the commencement of the regency, and by the statements (he would not call them pledges) of the noble lord opposite, in 1816, that the demise of the Crown would be the proper period for such a measure as was now proposed? But, at the arrival of that period, it was little to be expected that the surveyor of woods and forests, and the paymaster of the forces would be found to say that it was a matter of delicacy now, and ought not to be entered into. Nevertheless, the fact seemed to be, that at the period that those promises were given and those hopes held out, no revision or alteration was intended—that all those statements were the *ad captandum* of the moment, and that it was then intended that the whole of the civil list should still continue involved in mystery and obscurity—and that certain anomalous and ambiguous rights should continue a disgrace on the Crown. The present moment, he should have thought, was one when this subject might have been discussed and settled with signal advantage. The spirit of his majesty was said to be favourable to it; but without the assertion of the right hon. gentleman opposite, who could for a moment doubt that his majesty, when ascending the throne of his ancestors, and contemplating the condition of the people around—who could doubt that, while viewing the misery, the protracted misery of his people, he would not rather consider what might be for their advantage than for his own aggrandizement? It appeared to him that justice had not been done by ministers to the feelings of his majesty on this subject, and particularly in the speech from the throne. The king was there made to say, and that coldly too, that the civil list would be arranged on the basis of that of 1816—of a year when he might say that a sum of 230,000*l.* had been added to it. But who could answer for carrying a proposition of an increase to that amount at present? Who could answer for the tranquillity of the country, he might almost say, if such a proposition were now made? Why had not his majesty been made to say, "Take the whole of the civil revenues, and of the civil list; examine it and probe it—and if there can be any saving made for the country, let it be made?" Instead of this, however, his majesty was made to say, that the civil list should rest upon the arrangement made in 1816—an arrangement made at a time when every attempt to rescue it from the darkness and obscurity in which it had long been involved was met by the declaration, that it could only be done at the demise of the Crown, and which, notwithstanding that circumstance, was suffered to remain unexamined. It was said by the noble lord opposite at that time, that the increase had reference to war and the prices of provisions; but upon the continuance of those prices an ill calculation had been made, which the noble lord might have found erroneous, if he looked to the state of the currency and of agriculture. He therefore contended, that the House was bound to go to the first principles of the civil list, and inquire what revenue was fit to be given to the Crown, and what applied for the benefit of the people; and when they had found what was best for both, the sooner they acted upon it the better. He should be glad to know what imaginary benefit was derived from the present system. Did it give an account of the whole expense of the civil government? or rather, did not every body know that it gave no such thing? The plan of his hon. and learned friend would give the full account of what was given to the royal family. It was so once: but at present the amount was uncertain and unknown. Was it not a fact that 113,000*l.* had been charged on the consolidated fund for certain payments to some of the royal family? but was it known how much they received besides? When parliament granted 60,000*l.* a-year for his majesty's privy purse, was it known that 380,000*l.*, and upwards, would be given at different times, and in different sums, for the same purpose, without its control or sanction? This system of giving money to the sovereign held out a strong temptation to the minister to barter the public money for royal favour, and to the Crown to depend not on parliament for support, but, to a certain extent, on the corrupt obsequiousness of the minister. He would therefore contend, that no advantage to the people could be derived from this plan; and, to use the words of an honourable member, he would ask, whether in practice it worked well? It was said that the proposed arrangement would be a bargain irrevocable, and that it should last for life; but it had been found that other bargains of a similar kind had been broken nine times, and always on the safe side. In 1782, Mr. Burke said, that the arrangement of the civil list was then so guarded as to preclude excess, but still it was found that an excess accrued. At each time that a deviation was made from the bargain, it was said that that would be the last, and a promise was given that no similar demand would be made in future; but it was somewhat whimsical (if such serious occurrences could be so called) to see how each succeeding minister threw overboard the promises of his predecessor, and in most cases the fault lay not with the minister, but with the system itself. The whole amount of what was demanded from time to time would be too great to be asked at once, and then the plan was, not that an additional sum should be given to the civil list, but that that list should be relieved from some particular charges. It was in this manner that Mr. Pitt, in 1804, and the noble lord opposite, in 1816, had taken from that list charges to the amount of 400,000*l.*, which charges it had originally been given to cover. Thus there was no regular rule by which this department was to be governed; it was in some particular branches left to the disposition of individuals, and the whole was involved in darkness and mystery of the grossest kind. No possible advantage could accrue from the present plan; on the contrary, the whole was calculated to deceive the public, and to excite irritation. His object was, to simplify at least, if not reduce (and he did not see why reduction might not well be made); but, at all events, to simplify that which at present was so complicated and intricate. He would reduce the whole to three or four classes; he said a fourth, because he thought pensions, beyond a particular amount, ought to come under one class. In this arrangement the miscellaneous services, which were most various, would come annually before parliament, while those parts which properly belonged to the support of the Crown would not. If this plan were followed, the Crown would not be placed in the humiliating situation (for he considered it as nothing less than humiliating) of coming frequently before parliament to make good deficiencies, which were only explained or known by their amount. If some such plan were not adopted, any settlement of a civil list would be of no avail, while such enormous sums might be appropriated without the sanction or control of parliament. If the House were now prevailed upon to shut their eyes upon this, and suffer such sums to pass unaccounted for, they must expect it again; but he trusted they would not. He would not now go into any historical account of the droits which had been so applied, or of the 4½ per cent colonial duties; but he would maintain that the Crown had as little right to appropriate the latter, without consent of parliament, as it had to the malt tax for the same purpose. As to the droits of Admiralty, he would only say, generally, that whatever right the Crown possessed to them, they were correlative duties accompanying those rights: one of these was, that the lord high admiral (in virtue of whose office they were received by the Crown) was bound to protect the narrow seas—a duty which was now performed by the navy, paid by taxes raised on the country. He wished to impress this on the House as one of many cases which might be adduced, and as showing the importance of the question they were about to decide. The constant principle which should actuate the House in regulating the civil list should be, to cut off contingency and to regulate salary; but it seemed as if this principle was altogether lost sight of. He had made these observations in the discharge of a conscientious duty; for he looked upon the question before the House as involving the dignity of the Crown. That dignity he thought would be best preserved, and the prosperity of the people best consulted, by placing the civil list within certain, regular, and fixed rules. A limited monarchy and a free people were corresponding terms. Such a government was the best calculated to secure social happiness and public prosperity. He believed that it suited best the character and disposition of Englishmen. Their king was deeply rooted in the minds of the people of this country, and they would willingly contribute to grant any revenue that was necessary for the due splendor of the Crown. But that splendor, in the present state of the country, ought to be attended with due economy, and displayed without ostentation; for there were times when a diminution of splendor was an accession of dignity.

Sir *Robert Wilson* concurred with his hon. and learned friend who had made the motion, that there was not an officer engaged in the capture of the Spanish vessels who did not think his professional character tarnished by the transaction. He might mention another evil arising out of these captures before a declaration of war. After the peace of Amiens an order was given to seize and detain French vessels, and the consequence was, that the French government retaliated by detaining all the English who were at the time within the dominions of France. This measure of the French government was by many justified, on the ground that it was a proper return for such previous treatment. The gallant general concluded by saying that he should vote for the motion [The cry of "Question!" became general].

Mr. *Tierney* said, he would make a few observations on the state of the question, and the engagement to which voting on one side or the other would pledge the members of the House. He could assure the House and the gentlemen opposite, who were so anxious to bring this debate to a conclusion, that he should not detain them long. After the able speech of his hon. and learned friend, in which the whole facts and law of the case had been stated and supported; after the speech of the right hon. gentleman opposite, and the reply of his hon. and learned friend near him, the merits of the question required no farther discussion. He rose, therefore, not to add any thing to what had been already said on the question itself, but to set members right on the real purport of the motion. The House, then, was now called upon at the beginning of a new reign, to make a final arrangement of the civil list for the whole of that reign. On such an occasion it was necessary to make the most minute inquiry, and to exert the most scrupulous caution to make the arrangement as wise and proper as it would be lasting. When a new settlement was proposed, it was incumbent on the House to take into consideration all the funds at present at the disposal of the Crown, in order to know what charges should be made before that settlement was effected. If they now neglected to do so, another opportunity would not again occur during the reign. When a motion like this should be afterwards brought forward, it would be sufficient to say, that the matter had been already settled, and thus all further consideration of it would be shut out. The proposed resolution went no further than this, that it was expedient to take into consideration the droits of the Admiralty, the 4½ per cent colonial duties, and other funds usually at the disposal of the Crown, with the making of such an arrangement concerning them as would be consistent with the maintenance of the dignity of the Crown, and the interests of the country. Those, therefore, who should vote for his hon. and learned friend's motion would pledge themselves to no principle on the subject—they would merely express an opinion that the system formerly acted upon, now that a new arrangement was to be made, ought to be taken into consideration. Any gentleman who voted against it would say by his vote, that parliament ought to give the subject no consideration whatever. In supporting the proposed civil list establishment, it was not asking too much, in times like the present, to know how far it was necessary, by being informed of the state of the revenues in the power of the Crown, independently of it. There was, indeed a paper on the table stating the amount of the droits during the whole of the late reign ; but his hon. and learned friend had shown that the greatest portion of them had accrued within the last twenty years. Of the state of them for the last four years, since the report was drawn up the House knew nothing. Would it not be proper, therefore, to make inquiry, and to demand information as to whether there had been any increase, or what was the present state of those funds? The Crown, for the maintenance of whose splendor and dignity a new civil list was to be provided, might be in possession of revenues that would render a less liberal grant from parliament sufficient for all purposes of splendor and dignity. His hon. and learned friend who made the motion had suggested that in case the Crown could not dispense with them, and subsist on the parliamentary allowance of 850,000*l.* now proposed, some compensation might be granted in lieu of them. He, however, must say, that he was, in the present state of his information, against making any compensation whatever ; but, at any rate, the necessity of granting such compensation could only be made apparent by the proposed inquiry. After the committee had been granted, and an examination had taken place, his hon. and learned friend and the House would be able to decide whether any and what compensation ought to be made. This was not a time to think about unnecessary expenditure or ostentatious splendor. Rapid as had been the progress of melancholy events in the royal family since 1816, the country had run as rapidly into decay. All classes were suffering privations, and obliged to make sacrifices. His majesty should have been advised to make likewise some sacrifice in consideration of the burthens and distresses of his people. He knew that his majesty's surrender of his hereditary revenues, and his acceptance of the arrangement of 1816, was called an act of grace. But it ought to be recollected, that our revenue was every year declining, that there had been a great falling off in the first quarter of this year, as compared with the corresponding quarter of last year. He did not wish to appear niggardly towards the Crown—he did not wish to take any thing away from its proper splendor and dignity; but he would say, that, in the present burthened state of the country, and the depression of our finances, a single farthing ought not to be wasted unnecessarily. The amount of the funds at the disposal of his majesty, within the four last years, he was anxious to know, with a view to the settlement of the civil list, on which the greatest anxiety existed in the public mind. Rumours had gone abroad at different times concerning the amount of the droits which had been applied to the purposes of the crown. While the subject was left in the dark these rumours might again become current. What could be the evil of bringing these funds under the consideration of the House? The right hon. gentleman opposite had said, that it would be derogatory to the dignity of the crown to allow such an examination. But how could that be proved, while a stronger interference in other cases was not thought to produce that effect? His hon. friend had truly stated that severe and ignorant comments had been made on the royal expenditure, and these comments could not have been made if things had been managed in a different manner. The House ought not to grant the proposed 850,000*l.* without knowing the other sources of royal income. To do so, would be voting away the public money in the dark, during a season of great public pressure. No inconvenience could result from the course of inquiry recommended. His hon. and learned friend had said, that he would agree to a compensation for these droits, if upon inquiry it should be thought proper; and the right hon. gentleman opposite, in answering him, had said, that the Crown was satisfied with its present establishment, and that the course proposed by the hon. and learned mover would add to the public burthens. Now, the right hon. gentleman's argument was destroyed by the very terms used by his hon. and learned friend; for a compensation meant an equivalent; and the nation could not be more burthened by receiving as much as it gave. If a man gives 10,000*l.* to receive 10,000*l.*, he is neither richer nor poorer. The right hon. gentleman concluded with calling upon those who wished to make an economical and rational settlement of the civil list, to vote for his hon. and learned friend's motion. It bound them to nothing but to consider the subject—it called for no opinion—it pledged to no principles—it merely called upon them to examine, and left them to determine what was proper to be done, after they had examined.

The *Chancellor of the Exchequer* said, he had not intended to address the House on the question had it not been for some observations of the right hon. gentleman. The House would see, in the contrariety of the opinions of the hon. gentlemen opposite, what good a committee was likely to do. Three or four of these hon. gentlemen had spoken on this question, and none of them could be brought to see it in the same light. They all disagreed, not only with his side of the House, but with themselves. Ministers proposed to continue a system which had been four years in operation, and which was better understood by experience than any of the new-fashioned, new-fangled plans of the gentlemen opposite. It possessed about it some of the venerable characters of antiquity. This system had been shown to be good on a four years trial. It was framed on a scale of reduction to the amount of 135,000*l.* below the expenditure of several years preceding 1816. The gentlemen who were members of the last parliament would recollect that the right hon. gentleman opposite was not so eager for inquiry at the conclusion of the last session, as he proposed to discuss the civil list in the course of a fortnight before the dissolution. The plan now proposed would admit of a saving of 238,000*l.* over the civil-list of 1816, in which there was a reduction of 135,000*l.* below the average of some preceding years. This large sum would be transferred to the consolidated fund. Having said thus much on the civil-list, he would make an observation or two on the proper object of the present motion. The hon. and learned gentleman's objections against the continuance of these droits to the Crown were, that it afforded a motive for unnecessary wars, and a pretext to those who wished to calumniate our country. Now, both these appeared to him quite unfounded. Circumstances under which embargoes took place were subsequently examined, and, if no cause for declaring war occurred, the vessels were restored. This happened in 1801, and he might remind the House of what was the conduct of government at that time. When a coalition was formed amongst the northern powers, an embargo was laid on all Danish, Swedish, and Russian vessels in our ports. This government, meanwhile, sought to avoid a war; and, after a brilliant exploit of lord Nelson's at Copenhagen, and a happy change in Russia, that calamity was prevented, and the ships were restored. Had the Crown wished to condemn those vessels, it had nothing to do but to issue a declaration of war, and thus prevent their restitution. It ought likewise to be recollected, when speaking of the Spanish prizes, that three fourths of the proceeds of the captured vessels were given to our seamen. That the amount of this fund, however, might be made known to the public, and the uses to which it was applied, it was his intention to bring in a bill for the purpose of causing a return of its produce and application every year. A return would likewise be given of the state of all those funds since 1816.

Sir *Joseph Yorke* agreed with the hon. and learned mover, in the account he had given of the Souchong and Congo expedition of a gallant admiral. He always rejoiced at an opportunity of supporting ministers; but on the present occasion, unless the chancellor of the exchequer or any of his hon. friends around him could give a better reason than had hitherto been assigned for the grant to that gallant admiral, he should vote for the motion.

Mr. *W. Smith* highly approved of what had been said by his hon. and learned friend concerning the expedition of sir Home Popham. Adverting to the subject of the civil-list, the hon. gentleman observed, that he conceived it a settled custom to arrange it at the commencement of a new reign. Such an arrangement of it had been contemplated by the committee of 1816. Those, therefore, who opposed on the present inquiry occasion differed from the recommendation of that committee. Nothing was proposed by the present motion but an examination which the report then made contemplated, and he therefore called upon the authors of that report to support his hon. and learned friend.

Mr. *Bathurst* contended, that it was a fallacy to say that the motion of the hon. and learned gentleman was a motion merely to obtain information. The object of the motion was not merely to inquire into the amount of the droits of the Admiralty and the other funds, but to regulate and control them, and to take them out of the hands of the Crown. It was an innovation upon the established practice, and he could never consent to a motion which went to diminish the constitutional influence of the Crown.

Mr. *Brougham* rose to reply. He said he should be the less excusable in farther trespassing on the indulgence of the House, both because he had occupied so much of their time in opening the question, and because so little had been urged on the other side; and that little had been so triumphantly answered by his hon. friend near him (sir J. Mackintosh), and on the bench behind (Mr. Macdonald). He could not retort upon the gentlemen opposite the sarcasm of the chancellor of the exchequer, on him and his friends that they differed from one another and from themselves, each varying from his fellow, and no one consistent with himself. The minister had found out the most easy and effectual method of protecting themselves from such a sneer —at least, from the greater part of it—a method as obvious as it was simple, and as efficacious as it was obvious; it consisted in none of them speaking at all except one. Accordingly all kept silence, save the president of the board of control, and he not being in a condition to differ with his companions, had only been able to exemplify the other branch of his friend's zeal by contradicting himself. But the silence of some gentlemen on this occasion surprised and disappointed him more than that of others. Upon a great, legal, and constitutional question—one touching the rights of the sovereign, and involving at every turn, as was said, the honour and dignity of the throne, how happened it that the House lacked the two chief law officers of the Crown, the attorney and solicitor-general—the props and pillars of the prerogative—the sworn defenders of the sanctuary—the *tutamen*, if not the *decus*, of the monarch and estate? Equally strange was it, that there had been no appearance on the same behalf, by another hon. and learned friend of his, the king's advocate, in a discussion respecting the king's right to prize, the peculiar province of that high officer, whose absence, though he might wonder at, he the less regretted, as had he come forth, the weight of his speech would have been against him. Most of all, however, did he marvel that his right hon. and learned friend (sir W. Scott) had eluded the longing eyes of the House, and only made himself manifest at a late hour, to take part in the division and decide, by his vote, points which he had abstained from enlightening by his eloquence. This was to him a matter of much wonder, that the judge of the admiralty should be absent on a discussion of all the great admiralty questions, he to whose peculiar province such matters especially appertained—in whose domain they all lay—of whose secular kingdom they were appurtenances and droits (for he was known to be a spiritual person also)—he who had them as annexed to his temporalities—that he should shun the handling of them did indeed astonish one. He also deeply regretted it, for the aid of his gravity and wisdom and impartial judgment was much wanted on the opposite bench, and he should have felt a satisfaction not to be described in addressing his legal arguments to so great a judge. His right hon. and learned friend was not, perhaps, aware how many nice points had been made, how much law authority had been cited. He had himself produced many weighty and new ones—some he had abstained from bringing forward in his right hon. friend's absence; for instance, one from Vattell; but a most material one, never before adduced, had been cited from lord Coke's Reports, almost decisive of the question. Had he heard it, there was no saying how far it might have swayed his opinion; but at all events he took for granted that not having heard any part of the argument, he would continue his abstinence and refrain from giving his vote. He could have no doubt that his inveterate judicial habits, derived from a long course of administration on the bench, highly honourable to himself and useful to his country, would now prevail and render it impossible for him to decide on a cause which he had not chosen to hear. Thus, then, except the member for Liverpool, there was only the chancellor of the exchequer, and he, it must be owned, had distinguished himself; he had been very great indeed, and delivered a speech replete with humour, which had met with the reception appointed for efforts of merriment, by exciting general laughter. He had blamed his side of the House for being new-fangled innovators, and presented himself to them as the pattern of a real antiquated personage, a man of the true Olden time, as his friend called it.

Now, it was odd, that such a character should in the next breath so far forget himself as to fall into very new-fangled modes of speech. He talked of the victory of Nelson, and the happy change of affairs in Russia—meaning the emperor Paul's murder. Not that he (Mr. B.) accused him of intending to patronize such methods of opposing ministers and turning them out; but he was very certain, that had he or any of his friends made such a slip, they never would have heard the last of it. There were persons in that House—and some not very far from the right hon. gentleman—who would instantly have charged them with all manner of enormities. He needed scarce remind the House of an adage about stealing a horse; it was taken from the olden time, but it applied to the present day and company. As a proof, only let them recollect how that right hon. gentleman had dealt by a strong expression in his (Mr. B.'s) speech. He had mentioned the United States, the gentleman instantly pounced on him and exclaimed, "What! treat our monarch like the American president;" and choosing to forget that he had expressly defended himself from such an attack with much precaution, flanking that point purposely with two sufficient outworks—two instances from antiquated monarchies, the French king and Dutch stadtholder; but the right hon. gentleman left them out, because he must have an opening through which to let in, as usual, his *tirade*, about ancient days—monarchical splendor—and the stability of the throne, which no man ever dreamt of shaking, and which as no man valued more highly, so none would defend more strenuously than himself; then the right hon. gentleman had maintained, that it was a gross exaggeration to suppose any government mad enough to plunge the country into a war for the sake of making money by captures. It would have been a most ridiculous exaggeration truly, and who had ever made it? He had expressly said twice over, that he supposed the thing impossible since Charles 2nd, who had done so, and had been guilty and severely punished for it. But he only contended, that the droits might make the government, as it had made them repeatedly, go to war without proclamation, to the injury of our national character; however, if he had been guilty of all the exaggeration imputed to him, it was not the thousandth part so gross as the right hon. gentleman's, who actually contended that if those funds belonged to parliament and the country, they would go to war for the sake of such profits—they on whom all the expenses and dangers of the war must fall so heavily, while the profit could never be sensibly felt by any of them. Surely, compared with so extravagant a supposition, it would have been quite a moderate use of the topic drawn from Charles 2nd's example, if he (Mr. B.) had said that the Crown, to derive a great pofit, all its own, might be tempted to undertake a war, the costs and risk of which fell chiefly on the country. But then came the right hon. gentleman's declamation against stripping the Crown of its antiquated honours, and tearing away the drapery from the throne, which was loudly cheered by those who dealt largely in that sort of sedentary and inarticulate eloquence, in various keys, of different degrees of loudness, not always very harmonious, but probably conveying a more advantageous impression of the authors than if they adopted a more articulate course of expression; and, after all, what was the meaning of the rhetoric which had opened so loud a chorus? That a proposal had been made to disperse the thick mist which surrounded the throne, and kept the people from seeing its true shape and dimensions:—That he desired such an arrangement of the accounts as might let the country know what the Crown cost, and prevent the perpetual mistakes that prevailed to the great disadvantage of both king and country. That was all, and this was represented as insulating the monarch, leaving him naked and exposed; turning him out unaccompanied by the attendants of his state, to the attacks of a merciless opposition here, and a worse—if any thing is worse—out of doors! What! said the right hon. gentleman, deprive the sovereign of the essentials of his dignity—the true concomitants of his splendor—those who share his rank and attributes, and must be near him or he is undone! What! a king of England be separated from the reverend vicar of the Tower, at twenty-five shillings salary; a keeper of wild beasts, an engraver of seals, and a master of ceremonies! The end of all things and all kings must be come, according to him, when such a project was dreamt of. Then he represented them as making the monarch his servant on board wages, to dine at a chop-house and have a stinted quantity of food, no more than he could himself devour. These were the right hon. gentleman's very decorous, respectful, and delicate expressions, applied to so sacred a subject, out of the pious affection which he cherished for the venerable relics of the olden time. Mr. B. next adverted to Mr. C. Wynne's communication to the House, that lord Grenville had so handsomely given up the pension. This was a most gratifying assurance to the House and country, and did that distinguished nobleman great honour. He (Mr. B.), however, trusted, this change, the only one he was aware of on the subject since 1812, would not deprive him of the benefit of his hon. friend's support, which he had then enjoyed. For himself, he denied that he desired to lower the dignity or trench upon the comforts, or obscure the splendor of the sovereign. He anxiously wished to see him enjoy all these attributes, for all of them were a safeguard to the constitution, the greatest blessing of the country. He never should begrudge the king an ample income—nay, he went farther, he had far rather see ten thousand a-year added to his majesty's private revenue, than half the sum at the disposal of his ministers; because he knew it would be expended out of that House, and not used to bring men into it, or keep others steady who had gotten themselves in. These were his principles—he always had held them—he ever should avow them, in all situations, and in all places, where he might be called on to act or to speak. He concluded by declaring his earnest wish to see that the reign might prove long, glorious, and popular; that it would best become so by means of such measures as might win for the monarch the affections of his subjects—and that it never could make a greater advance towards this happy point than by an arrangement peculiarly adapted to a new settlement of the Crown's revenue, called for by the interests of both the prince and the people at home, and necessary to redeem and to establish the character of the country in the eyes of the world.

The question being put, "That the other order of the day be now read," the House divided: Ayes, 273. Noes 155. Majority against Mr. Brougham's motion, 118.

List of the Minority.

Abercromby, hon. J.
Allen, John
Althorp, viscount
Anson, sir G.
Aubrey, sir John
Astle, W.
Bennet, John
Bentinck, lord W.
Boughton, Rouse
Boughey, sir J.
Belgrave, viscount
Barham, J. F.
Barham, J. F. jun.
Baring, sir Thos.
Bernard, viscount
Barrett, S. M.
Benyon, Benj.
Bernal, Ralph
Birch, Joseph
Brougham, H.
Bury, viscount
Byng, G.
Beaumont, T. W.
Bright, Henry
Calcraft, John
Calcraft, J. H.
Campbell, hon. J.
Chamberlayne, W.
Carter, John
Cavendish, lord G.
Cavendish, Henry
Clifford, A.
Clifton, viscount
Coke, T. W.
Colburne, N. R.
Concannon, lord
Coussmaker, G.
Crespigny, sir W. de
Crompton, Sam.
Calvert, N.
Davies, T. H.
Denman, Thos.
Dundas, C.
Duncannon, visc.
Evans, W.
Ellice, Ed.
Fergusson, sir R.
Fitzgerald, Ld. W.
Fitzroy, lord J.
Folkestone, visc.
Frankland, R.
Ferrand, Robert
Finlay, Kirkman
Folkes, sir M.
Gordon, Robt.
Graham, J.R. G.
Graham, Sandford
Grenfell, Pascoe
Griffith, J. W.
Guise, sir W. B.
Gurney, Hudson
Gurney, R. H.
Gaskell, B.
Hamilton, lord A.
Harbord, hon. Ed.
Hervey, D. W.
Heathcote, G. J.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Howard, hon. W.
Hornby, E.
Honywood, W. P.
Hughes, col.
Hume, Jos.
Hurst, R.
Haldimand, W.
Jervoise, G. P.
Kennedy, T. F.
Lambton, J. G.
Lemon, sir W.
Lushington, Steph.
Langston, J. H.
Lloyd, S. J.
Mackintosh, sir J.
Madocks, W. A.
Martin, John.
Milbank, Mark
Mildmay, St. J. P.
Milton, viscount
Monck, J. B.
Moore, Peter.
Moore, Abraham
Mostyn, sir T.
Maberly, John
Maberly, J. L.
Marryat, Jas.
Mahon, hon. S.
Neville, hon. R.
Newman, R. W.
Newport, sir J.
Nugent, lord
Ord, Wm,
Osborne, lord E.
Ossulston, visct.
Palmer, C. Fysche
Pares, Thos.
Parnell, sir H.
Philips, G.
Philips, Geo. jun.
Power, Rich.
Powlett, hon. W.
Pym, Francis
Ricardo, David
Ridley, sir M. W.
Robarts, Abr.
Robarts, G.
Robinson, sir G.
Rowley, sir Wm.
Rumbold, C.
Russell, lord G. W.
Russell, lord John
Russell, R. G.
Rickford, Wm.
Smith, hon. R.
Smith, Sam.
Smith, John
Smith, George
Smith, Robert
Smith, W.
Scarlett, James
Scudamore, Robt.
Sefton, earl of
Stanley, lord
Stuart, lord J.
Sykes, Dan.
Spurrier, C. H.
Scott, J.

Tavistock, marq.
Taylor, M. A.
Taylor C. W.
Tierney, right hon. G.
Tremayne, J. H.
Townshend, lord C.
Warre, J. Ashley
Webbe, Ed.
Western, C. C.
Whitbread, W. H.
Whitbread, S. C.
Wilkins, Walter
Williams, T. O.
Williams, W.
Williams, sir R.
Wilson, sir Robt.
Wood, alderman

TELLERS.

Bennet, hon. H. G.
Macdonald, James

HOUSE OF COMMONS.

Monday, May 8.

WOOL TAX.] Mr. *Stuart Wortley* said, he had the honour to present a petition from the merchants and manufacturers in Wool, of Huddersfield and its neighbourhood, against the late duty imposed on foreign wool. The petitioners stated, and he believed justly, that, as an effect of that impolitic tax, a considerable quantity of capital had been sent out of the country. A noble friend of his intended to give that night a notice of a motion for its repeal. Till that discussion he should defer further observation on the effects of a tax whose further continuance he so much deprecated.

The petition was ordered to lie on the table.

Lord *Milton* said, he wished to put a question to the right hon. the president of the board of trade. He wished to know from him, whether it was the intention of his majesty's government to repeal the late duty on wool? If such an intention was entertained, it would afford him the greatest satisfaction, and in their hands he would gladly leave it. If, on the contrary, they were not disposed to take that course, he rose for the purpose of giving notice that on Tuesday next he should move for the repeal of the late duty on foreign wool.

Mr. *Robinson* stated, in answer, that he did not know it to be the intention of his majesty's government to take any such step. The notice of the noble lord might therefore stand as proposed.

COMMERCIAL RESTRICTIONS — PETITION OF THE MERCHANTS OF LONDON.] Mr. *Baring* said, he had the honour to rise for the purpose of presenting a petition from a most extensive and respectable body, the merchants of London. Whether he adverted to the terms in which their petition was couched, to the respectability of the gentlemen by whom it was signed, or to the peculiar circumstances of the country under which it was presented, he felt, and the House, he thought, would also feel, that a more important subject had never been submitted to its consideration. He did anticipate, when he reflected on the general interest which the petition had created — on the general desire that was expressed by so many persons representing, as they did, so many different interests—that thus appealed to, the attention and wisdom of that House would be applied to its investigation. It would be for the House to ascertain whether, in the present distressed state of the country, the causes of that distress were so irremediable that it was not in its power to afford relief — or whether, on the contrary, these effects could be remedied by a successful application of its attention and wisdom. There was, in the present circumstances of public embarrassment, much, he feared, to which no remedy could be applied, at least, no parliamentary remedy; but at the same time, he was satisfied there was a great portion of that embarrassment and distress, which could be relieved by a prompt and efficient exertion of that House. He should have said, that none of the persons who signed or supported the present petition, entertained any intention of attacking the interests of any other class. Indeed, it was quite clear to them, and to every other man who understood his real interests, that no particular branch, either as to its commerce or its agriculture, could be benefited by any measure which improved the general prosperity. In fact, it was quite impossible for any man of the least information to suppose that commerce could derive benefit from a state of things in which agriculture and manufactures were the reverse of flourishing. The commercial evils under which we laboured had been attributed to the transition from war to peace; but it ought to be considered that we had been five years in a state of peace, and that we were now not only without any beneficial alteration, but rather in a condition of aggravated distress. While all other parts of Europe were recovering from the general suffering, Great Britain was the only country in which every branch of industry remained not merely as depressed, but much more depressed than it had hitherto been. He confessed that when he contemplated our situation, he was sorry to say, that he discerned strong indications that we must still be considered a declining country. The agriculturists loudly complained of the distress which they experienced—the manufacturers and the merchants united in similar declarations of pressure. With respect to commerce especially, he was persuaded that during the last two years it had not been in the slightest degree productive to those who were engaged in it; nay he feared that, on the contrary, they had sustained much loss. He entertained the same apprehension with respect to manufactures. The mind naturally turned to the investigation of the cause of this extraordinary state of things. He wished it was in his power to give a satisfactory solution of it; but difficult as that was, it would, he was afraid, puzzle him much more to suggest a remedy for the evil. The extraordinary improvement which had taken place in every part of our industry and commerce during the late war had been followed by a langour as remarkable. No country had ever taken greater strides towards unbounded wealth and splendor than this country in the late war. During that period, in consequence of our maritime supremacy, we monopolized the trade of the world. Every effort made to injure our commerce recoiled on those by whom it was projected. At the present moment, having gained the objects for which the war was undertaken, our industry and trade were in a state of utter prostration. The extraordinary success which we enjoyed during the contest naturally rendered us careless and inattentive to those wise principles to which we were originally indebted for our commercial greatness. Fortune poured her gifts upon us in so uninterrupted a stream, that we seemed to think any care to retain her favour superfluous. Now, however, the case was very different. We must no longer indulge in dangerous relaxation. Our agriculture, our manufactures, our commerce, all required the greatest possible care. They could no longer be left unattended to. Formerly, no imprudent measure, no false step, could check their growth; now they might soon and easily be stunted without the power of recovery. That which rendered our condition still more alarming was, that the trade we had lost had gone into different channels. The various countries of Europe shared it among them. Instead of being without competition, we had competitors all over the world; and it behoved us therefore to act with the utmost circumspection. The safest and the wisest course which under these circumstances, it appeared to him that we could pursue, was, a recurrence to those old established principles and maxims to which the country first owed its commercial success. To those principles and maxims he was persuaded we must look as affording us the only hope of retrieving ourselves. It was not the loss of our commerce alone which occasioned the general suffering. We had lost a great commerce, but we had also incurred an immense debt, added to, and aggravated by what was in that respect, at least, an unfortunate departure from our ordinary currency. Easily as in the times of our prosperity we had borne this load, he confessed that he could not but entertain a feeling approaching to despondency when he contemplated the inadequate means to which he must now look for sustaining it. That debt, he repeated, had been materially increased by the alteration which had taken place in the character of our currency last year. Whether that alteration was right or wrong, was not the present question; but no man could deny that it had added from a fourth to a third to our debt. No man could deny that now gold was at the Mint price, namely 3*l.* 17*s.* 1*d.* an ounce, the pound note, and the debt payable with it, must be of a very different value from that which they were when gold was 4*l.* 10*s.* an ounce. The alteration in our currency had also operated in aggravating the effect of the taxes to a similar extent. It had also aggravated the effect of the corn laws. Calculating on the increase in price both of food and of labour, which all this occasioned, it was impossible for any man not to see the impossibility that this country so burthened, could enter into a successful competition with the commercial rivals which had started up around us. Whether we had sunk to the lowest state of our probable depression—whether things had come to their level—it was perhaps difficult to ascertain. He feared not. He feared that, as the House had seen from year to year ministers coming down with prophecies of increased prosperity, the croakers would now have their turn. Certain it was, that since the peace there was no evil prognostic which the most confirmed alarmist could have ventured upon, that had not been sadly verified.

On the subject of the corn laws, he would not trouble the House; because, whatever might be his opinion of them, it was not his intention to recommend, nor did the petitioners wish for any immediate disturbance of those laws. He was perfectly persuaded that no laws of any kind could long uphold the present price of produce in this country; but he felt it would be highly improper at present to agitate the minds of the country by a discussion which could not be followed by any immediate practical result. He was quite sure that every intelligent man would condemn with him the absurdity of opposing the interests of one class of the people to the interests of another. And yet a manifesto had made its appearance from certain persons associated for the purpose of endeavouring to induce parliament to impose further restraints on the importation of agricultural produce (on which object he would say nothing as he was sure it would be discountenanced by the House), in which manifesto, the interests of the agriculturists were spoken of as of much more importance than the interests of the manufacturer or the interests of the merchant. Nothing could exceed the absurdity of all this, and he was persuaded that more nonsense in the way of political economy was never broached. To assert that one class was more useful in society than another, or that the interests of one class should be preferred to those of another, was just as foolish as it would be to say, that in the human body, the heart, or the lungs, or the liver, was more serviceable than any other organ in the performance of the animal functions. Every person of common sense must feel that this country, highly populous as it had become, must mainly depend for the support of that population, and for its comparative prosperity, on the cultivation of every branch of its industry. It was most important that parliament should consider, since we could not recover what we had lost, how we should retain what we still possessed. To do this we must look back to the principles of our ancestors. The first desideratum was such security and tranquillity in the country as would enable the possessor of capital to employ it without apprehension. The second, and it was that to which the petitioners principally referred, was as great a freedom of trade as was compatible with other and important considerations. The benefits to be derived from security were incalculable. Without that security the distress in which a great part of the population was involved must be deeply aggravated. In former times the institutions of the country were respected and the laws were obeyed, while rational liberty was enjoyed, and the result was, that the country was the favourite theatre of commercial enterprise. But a great change had taken place; and to him it was evident, that if the state of insubordination which had so long existed were permitted to continue, the most fatal consequences would ensue. He was sorry to find that the effects of the present state of things were beginning to be felt, as he apprehended they would be felt, in Scotland, where the good sense of the people seldom failed in ascertaining their bear interests. He was sorry to hear from Paisley, that a considerable number of the smaller manufacturers were withdrawing themselves in consequence of the state of insubordination in which that neighbourhood was thrown. Without a return to order, without respect for the laws was perfectly restored, it was impossible to expect that the possessors of capital would risk it in commercial speculations. To a people so discerning as the Scotch, he was surprised that the example of a country close to them had not been sufficiently convincing on this subject. What was the reason that in Ireland, with its cheap food, and its immense population, manufactures had never been established to any extent? Because the greater part of that country had always been in a state of the worst insubordination and lawlessness. An additional proof of the necessity of security to commerce and manufactures, might be found in the fact, that the very small portion of manufacture existing in Ireland, was carried on precisely at the little spot of it where tranquillity was established. He considered, therefore, a main obstacle to our hope of commercial recovery, to consist in the general insubordination and insecurity which pervaded the country.

But that was not the sole obstacle. Another great obstacle was that of which the petitioners complained—a reluctance to return to the old and established principles on which our commercial prosperity was originally founded. We were now surrounded with jealous rivals. Every government was endeavouring to aggrandize its subjects by commerce. Nor was it surprising that many parts of Europe, as well as America, where trade was unrestricted by the fetters imposed upon it in this country, beat us in the market. In France great strides were making. He had been for some time a resident in that country, and he knew it to be the fact, that no government could pay more attention to the interests of commerce. He had that morning received a letter from a friend at Paris, in which his correspondent said "Manufacturers of all kinds are more employed than they have been for years:—the labourers are all at work;—and there is no branch of industry without bread." What the petitioners wished was to draw the serious attention of the House to the subject, and to the expediency of some legislative interposition. They stated, that it was not possible they could be expected to enter into competition with their continental rivals, unless some attempt were made to return to the old principles of freedom of trade. At the same time they were very far from wishing for such a sudden alteration as might be injurious to existing interests. It was evident that something must be done. It was impossible that the country could rise from its present depressed state without some change in our commercial system. It was a subject wholly divested of the prejudice of party feeling. All parties must concur in one wish. He was convinced that no gentleman was more anxious to see the sound principles to which he had alluded carried into operation than the right hon. gentleman in whose hands at present the regulation of our trade was placed. He did not wish to say any thing harsh of that right hon. gentleman's predecessor, than whom no man could be more zealous or desirous of doing good; but he could not speak of him with equal praise. But that which was one of the most alarming symptoms was, the apathy with which the government in general regarded this subject. So far were they from being sensible of the necessity of some exertion, that (as in matters of finance) they went on from year to year, trusting that the next year would be spontaneously productive of some favourable change, and apparently with very indistinct notions of what the real condition of the country was. Whenever a question arose between two classes of the community, government, without seeming to have any opinion of their own, stood by, until they ascertained which party could give them the most effectual support. If the House looked back to an earlier period of those which were still our own times, they would behold a different picture; they would find Mr. Pitt engaged in framing a commercial treaty, and, amidst difficulties of every description, boldly taking whatever steps appeared to him to be the best calculated to advance our commercial prosperity. He wished that he could see a little of the same spirit in the present day. Instead of that, ministers were balancing one party against another, and trying how they could keep their places from one year to another; neglecting in the mean while all those great commercial and national questions to which their most lively attention ought to be directed.

Having stated that the general object of the petitioners was a renewal, under certain limitations, of the freedom of trade, by the abolition of all injurious restrictions, he might, perhaps, be excused if, without entering into minute details, he suggested some of the improvements which were deemed desirable. The first doctrine which the petitioners wished to combat was, that fallacious one which had of late years arisen, that this country ought to subsist on its own produce; that it was wise on the part of every country to raise within itself the produce requisite for its consumption. Now really it was most absurd to contend, that if a country by selling any article of manufacture could purchase the produce which it might require, at half the expense at which that produce could be raised, it should nevertheless be precluded from doing so. It was one of the wise dispensations of Providence to give to different parts of the world different climates and different advantages; probably with the great moral purpose of bringing human beings together for the mutual relief of their wants. But these absurd reasoners had found out that the only true wisdom was, in spite of that benevolent ordination, to endeavour to produce at home, by considerable effort and at great disadvantage, that which with ease, and at half the expense, might be procured elsewhere. To some countries greater fertility of soil, to others greater ingenuity on the part of the people, was imparted. But according to the profound gentlemen to whom he alluded, no exchange should take place of the produce of the one for the fabric of the other. Nay, they would have the Swede or Norwegian scratch his barren rocks, in the hope of a scanty crop, rather than purchase with his ample forest the means of living from countries possessed of abundance.

But to come more closely to the immediate object in view. There was the duty on the importation of wool. On what principle could that be defended? A tax on the raw material! He was curious to hear what ministers would say on the subject, when the noble lord (Milton) should bring forward the motion, of which he had that evening given notice. He believed this was the first time in which in any country, where commerce was protected and fostered, that such an impost had been attempted. The woollen manufacture especially—the favourite branch of our ancient industry—that that should be subjected to such a burthen, he strongly felt as to be most injurious. It might be asserted, that it could bear the tax. Let it be recollected, however, that as it was not always possible to ascertain exactly how much an animal could bear, so it was not always possible to ascertain exactly how much a manufacture could bear; and that in touching the manufacture to which he alluded, they tampered with one of vital importance, a single mistake about which might be fatal. He conjured the House to keep this in mind, when they came to the consideration of the question which the noble lord intended soon to raise; and he was happy that the subject was in such excellent hands. The chief manufacture of the country was at stake. When he said that the manufacture of the country was at stake, he would add that the agriculture of the country was equally at stake. The tax on the raw material from abroad must inevitably bring down the price of the raw material here. Since the tax had been imposed, the trade had fallen immensely; and he had no doubt the price of wool would fall also. Many persons would contend that the home market was every thing, and that the foreign market was nothing. Suppose it should turn out that manufacturers in all parts of the continent, where they were thriving in consequence of the cheapness of labour and the freedom of the raw material from duty, should beat us entirely out of the foreign market, in what state would the interests of agriculture then be at home? If the woollen manufacture were to sink, wool of home growth must be exported in immense quantities, similar to those in which our princes formerly paid their subsidies, and would of course be deteriorated in value. The tax, therefore, would eventually be as injurious to the farmer as to the manufacturer. Under all these circumstances, he certainly had felt the greatest surprise to find his majesty's government, without having heard a word on the subject, declare their determination not to countenance any alteration in the law. A tax on the raw material was contrary to the practice of this country in all times, until the extreme prosperity which existed during the late war, when every old principle was borne down, when it mattered not, commanding the seas as we did, whether we imposed a duty on wool, or on any other commodity necessary to our manufactures, and when we could neglect with impunity those maxims which we must now re-establish if we wished to avert a portion of the evils that threatened the country.

Another important point was, such a revision of the regulations respecting the revenue as would show where our old principles had been deviated from, accompanied by a determination to correct those aberrations, unless very cogent reasons could be shown for persevering in them. Every endeavour should be made to abolish restriction as far as it was practicable to do so. For instance, in the article of timber. Why not allow the Norwegians, the Poles, the Russians, to import their timber into this country, which would necessarily cause a great consumption of British manufactures and great employment of British shipping? And here he would observe, that the restrictive system had not only driven us out of the continental market, but had communicated a character of severity to our commercial regulations generally injurious to us. He was sure that our restrictions, and especially those on the importation of timber, had created many enemies who possessed considerable means of annoyance. On that subject he would not, however, say more, as he had reason to hope that the gentlemen opposite had made up their minds to allow at least of some alteration in the existing law.—Another desirable step would be to do away totally prohibition as much as possible. Where protection for particular manufactures was considered to be necessary, it ought to be in the form of duty and not in that of prohibition. Prohibition had no doubt seriously injured the revenue by the encouragement which it gave to smuggling. The customs had fallen off a million and a half in the course of the last year. He was sure that a good deal of that defalcation might be ascribed to prohibition. Nothing could be more absurd than to suppose any prohibition would prevent the introduction of articles that were in demand. The fact was, that at an advance of 20 or 25 per cent all light prohibited articles might be had at our doors. He would not say which sex was the more to blame, but such was the fact. Indeed, it was quite impossible to suppose that ladies would not procure French gloves or shoes in this way, if they could not get them in any other; and thus the revenue suffered without the attainment of the object which the prohibition contemplated. He did not wish to make any general sweeping assertions; but he must observe, that hon. gentlemen in agreeing to cite the navigation laws as affording a protection to commerce were much mistaken. Their tendency was, to injure commerce. For instance, coals—so necessary to our manufactures—might, but for the navigation laws, be brought to our ports at half their present price by Dutch or German vessels. The principle of the navigation laws was, that no produce should be imported into this country except in our own vessels, or in the vessels of that country to which the produce belonged. He thought that no restriction ought to be held on foreign ships importing into this country, whether the produce was of their own or any other country. When this restriction was imposed, he was sure that those who framed it did not clearly see the advantage of a free intercourse between this and other nations. The freedom of the transit trade was also a most desirable object. The importation of every commodity for re-exportation ought to be allowed, and any opposition to this principle was a restriction of our commercial transactions. He was not aware that a regulation of this sort would interfere with the interests of any gentleman or set of gentlemen in this country; but if it so happened that it did, he felt convinced that the House, or any committee to whom the subject was referred, would give every attention to any representations which should be made to them. But upon a subject of this kind, he hoped gentlemen would go into an inquiry, without any prejudice or party feelings, looking only to the advancement of the commerce of the country, and not listening or yielding to any interest without considering the justice of the objections which should be made.

A great objection had been made to the transit of German linen, and petitions had been presented against its importation even for exportation. A vague and idle notion existed that this would injure the linen trade of Ireland; that that trade was in fact at stake, if such an importation were allowed. A noble lord who was interested in this trade, was so strongly of this opinion, that the question was decided against the importation. The House should, however, consider, without looking to the right or to the left, that their great object ought to be to use every possible means to revive the trade and commerce of the United Kingdom. He was aware that the linen trade of Ireland deserved their greatest attention, and ought to be encouraged by every possible means; there was no trade which was more entitled to protection, but the transit to which he alluded could by no means affect that trade. The consumption of German linen here was the only means by which the Irish linen trade could be affected. What, in the mean time, was the effect of this prohibition? If we were to send goods to foreign markets, they must be made up of assorted articles. Suppose we send to the French colonies, what were we to send but such articles as would suit the market? There was a time when we sent our fleets under convoys, and when no other country could oppose us; then we could send out what we pleased; but now that exclusive monopoly was at an end. Every nation was as free as we were to go to the different markets; therefore we were bound to exert ourselves, to procure a market as well as our neighbours. It was also of importance that we should alter our commercial regulations with respect to France. He was aware that strong prejudices existed against us in that country, not to speak of those existing here. But he did not think it would be difficult in a little time to remove those prejudices. And here he felt it necessary to state, that he by no means blamed the noble lord (Castlereagh), who lately conducted negotiations between this country and France, for not having stipulated for or forced any commercial concessions. It was desirable that all restrictive regulations between the trade of England and France should be removed, but to do so we must begin at home. It would be unfair to attempt a negotiation for a commercial intercourse while we kept our ports shut against them. Let it be considered, that it was not by a restrictive system that this country had grown to such a pitch of greatness, but on the contrary, that such a system was a bar to that greatness. It was necessary also to remove an impression which our system of commerce had made abroad. We were looked up to as the first commercial nation in the world, and it was therefore believed that we had adopted our restrictive or protecting system, from a conviction of its beneficial effects on our commerce. This impression it was our interest as well as our duty to remove, by altering our commercial regulations with foreign powers.

The next point to which he would direct the attention of the House, was an extension of our trade with India. He was aware that this was a delicate subject; that it was one concerning which we had to deal not with a foreign power, but a great power at home. But he felt persuaded, if the gentlemen who conducted the affairs of that Company had a fair case made out to them; if it was clearly shown that the trade between this country could be extended without injury to their interests, that their concurrence would be easily obtained. At all events, he was sure they would come fairly forward and argue the subject—and if upon inquiry, such extension should be shown to be injurious to their interests, he would be the last man in the House or the country to press his suggestion. He was aware that there were two great objections to the extension of this trade: first, that it would open a facility of smuggling in the China seas; and secondly, that such an extended intercourse on the part of this country would derange existing regulations, and involve the India government in difficulties with the government of China. He knew that it was a difficult matter to manage the government of China. But to these two objections he would give what he conceived to be an unanswerable argument. What was there now to prevent the Americans from trading between China and Amsterdam? It was a thing daily done. If, then, this was the case, he should like to know what injury was likely to be done to the India Company by English vessels carrying on a similar trade? It was urged on former occasions, that English vessels would enter into smuggling transactions. Suppose them to do so, there was a means of catching them at some time. The vessels and their commanders were known; besides, there were securities given which could always be come at. But where was the remedy against a foreigner who smuggled goods from China to England, or elsewhere? He came, deposited his cargo, was off, and nobody could find him or make him responsible in any other way for what he had done. Then came the argument, that such an extension of trade would involve the India government in difficulty with that of China; but it was known that the Americans had for a considerable time carried on that trade without being involved in any such difficulty; at least, we had not heard of any—why could not this country be allowed to carry it on in a similar manner? Why should it not be open to our own merchants as well as to foreigners? Besides, this trade would give to this country a commercial intercourse with the Spanish colonies in South America. The trade in the Indian seas would be wonderfully improved if opened to the spirit and enterprise of British merchants. That trade was now carried on by Americans, whose vessels went from port to port unrestricted as to their tonnage or any other disqualification to which British traders were subject. Let this trade be thrown open, and it was impossible to say what advantages might not be derived to this country from it—from the ingenuity, enterprise, and industry of the merchants of Liverpool, Bristol, Glasgow, and our other commercial sea-ports. At all events, enough was known to show that it would be an improvement to the commerce of the country. He begged pardon for having trespassed so long on the attention of the House. He was sure, that whatever proposition of this nature was proposed to to the company, they would meet it with that fairness and deliberation which the discussion of so important a subject demanded.

He believed that he had pretty generally pointed out those alterations which he conceived practicable in our commercial system. He was sure the House would feel with him, that the circumstances of the times were such as to call for the minutest inquiry, on their parts, into every possible means of improving our trade and commerce. It was their duty to show to the country, that nothing practicable was left undone to contribute to relieve those distresses under which so many laboured. It was natural when any portion of the country felt distress, that they should apply by petition to parliament for relief, and it was the duty of parliament to show that they adopted every means in their power of affording it. He knew very well that there were many and severe distresses, which it was out of the power of any parliament to remedy. He recollected the lines of the Poet—

> " How small of all the ills which men endure,
> The part which Kings or Lords can cause or
> cure."

But it was the duty of parliament to turn their minds seriously to the question—to show the people that their wants were not neglected—to let them see that no party feeling or prejudice operated, but that all, however differing on other points, were united on this. By doing so, they would do more to quiet that disturbed feeling, to set at rest those angry passions, which arose in a great measure from distress, than could be done by any other means. —The hon. gentleman, after moving that the petition be received, sat down amidst loud cheers from all sides of the House.

The petition was then brought up and read; setting forth,

" That foreign commerce is eminently conducive to the wealth and prosperity of the country, by enabling it to import the commodities for the production of which the soil, climate, capital, and industry of other countries are best calculated, and to export in payment those articles for which its own situation is better adapted; that freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country; that the maxim of buying in the cheapest market and selling in the dearest, which regulates every merchant in his individual dealings, is strictly applicable, as the best rule for the trade of the whole nation; that a policy, founded on these principles, would render the commerce of the world an interchange of mutual advantages, and diffuse an increase of wealth and enjoyments among the inhabitants of each state; that, unfortunately, a policy, the very reverse of this, has been, and is more or less adopted and acted upon by the government of this and of every other country; each trying to exclude the productions of other countries, with the specious and well-meant design of encouraging its own productions; thus inflicting on the bulk of its subjects, who are consumers, the necessity of submitting to privations in the quantity or quality of commodities, and thus rendering, what ought to be the source of mutual benefit and of harmony among states, a constantly recurring occasion of jealousy and hostility; that the prevailing prejudices in favour of the protective or restrictive system may be traced to the erroneous supposition, that every importation of foreign commodities occasions a diminution or discouragement of our own productions to the same extent; whereas, it may be clearly shown, that although the particular description of production which could not stand against unrestrained foreign competition would be discouraged; yet, as no importation could be continued for any length of time without a corresponding exportation, direct or indirect, there would be an encouragement for the purpose of that exportation of some other production to which our situation might be better suited; thus affording at least an equal, and probably a greater, and certainly a more beneficial employment to our own capital and labour; that of the numerous protective and prohibitory duties of our commercial code, it may be proved, that while all operate as a very heavy tax on the community at large, very few are of any ultimate benefit to the classes in whose favour they were originally instituted, and none to the extent of the loss occasioned by them to other classes; that among the other evils of the restrictive or protective system, not the least is, that the artificial protection of one branch of industry, or source of protection against foreign competition, is set up as a ground of claim by other branches for similar protection; so that if the reasoning upon which these restrictive or prohibitory regulations are founded, were followed out consistently, it would not stop short of excluding us from all foreign commerce whatsoever; and the same train of argument, which with corresponding prohibitions and protective duties should exclude us from foreign trade, might be brought forward to justify the re-enactment of restrictions upon the interchange of productions (unconnected with public revenue) among the kingdoms composing the union, or among the counties of the same kingdom; that an investigation of the effects of the restrictive system at this time is peculiarly called for, as it may, in the opinion of the petitioners, lead to a strong presumption that the distress which now so generally prevails, is considerably aggravated by that system; and that some relief may be obtained by the earliest practicable removal of such of the restraints as may be shown to be most injurious to the capital and industry of the community, and to be attended with no compensating benefit to the public revenue; that a declaration against the anti-commercial principles of our restrictive system is of the more importance at the present juncture, inasmuch as in several instances of recent occurrence the merchants and manufacturers in foreign states have assailed their respective governments with applications for further protective or prohibitory duties and regulations, urging the example and authority of this country, against which they are almost exclusively directed, as a sanction for the policy of such measures; and certainly, if the reasoning upon which our restrictions have been defended is worth any thing, it will apply in behalf of the regulations of foreign states against us; they insist upon our superiority in capital and machinery, as we do upon their comparative exemption from taxation, and with equal foundation; that nothing would more tend to counteract the commercial hostility of foreign states than the adoption of a more enlightened and more conciliatory policy on the part of this country; that although as a matter of mere diplomacy, it may sometimes answer to hold out the removal of particular prohibitions or high duties, as depending upon corresponding concessions by other states in our favour, it does not follow that we should maintain our restrictions in cases where the desired concessions on their part cannot be obtained; our restrictions would not be the less prejudicial to our own capital and industry, because other governments persisted in preserving impolitic regulations; that, upon the whole, the most liberal would prove to be the most politic course on such occasions; that, independent of the direct benefit to be derived by this country on every occasion of such concession or relaxation, a great incidental object would be gained by the recognition of a sound principle or standard, to which all subsequent arrangements might be referred, and by the salutary influence which a promulgation of such just views, by the legislature and by the nation at large, could not fail to have on the policy of other states; that in thus declaring, as the petitioners do, their conviction of the impolicy and injustice of the restrictive system, and in desiring every practicable relaxation of it, they have in view only such parts of it as are not connected, or are only subordinately so, with the public revenue; as long as the necessity for the present amount of revenue subsists, the petitioners cannot expect so important a branch of it as the customs to be given up, nor to be materially diminished, unless some substitute less objectionable be suggested; but it is against every restrictive regulation of trade not essential to the revenue, against all duties merely protective from foreign competition, and against the excess of such duties as are partly for the purpose of revenue and partly for that of protection, that the prayer of the present petition is respectfully submitted to the wisdom of parliament; the petitioners therefore humbly pray, that the House will be pleased to take the subject into consideration, and to adopt such measures as may be calculated to give greater freedom to foreign commerce, and thereby to increase the resources of the state."

On the question, that the petition do lie on the table,

Mr. *Grenfell* said, that after the able and eloquent speech of his hon. friend, it would be idle in him to attempt entering into the subject. But as it was a subject upon which he had before delivered his opinions, he hoped he might be allowed to express his opinion upon it now; and he assured the House that in doing so he should not take up much of their time. He begged then to state, that he gave his humble, but most hearty concurrence in every principle contained in the petition, and so ably advocated by the hon. mover; and he begged to add, that in the House, or out of the House, he would give its principles his most zealous and active co-operation.

Mr. *F. Robinson* said, that as no other gentleman seemed disposed to rise, he felt it necessary to offer a few observations on the question so ably introduced by the hon. mover. He hoped the hon. member and the House would do him the justice to believe that he was fully sensible of the extreme importance of the subject before them. He had always given it as his opinion, that the restrictive system of commerce in this country was founded in error, and calculated to defeat the object for which it was adopted [Hear!]. He had not the slightest objection to repeat those opinions now. The hon. member had done him the honour to pay him some compliments, to which he did not conceive himself entitled; but, he must say, neither did he conceive himself or his colleagues deserving of the qualification which was tacked to them, namely, that he and those with whom he had the honour of acting, had a sort of pathetic feeling, and went on from year to year, looking more to their offices than to the interests of the people. He might have felt differently on this question, and he admitted that he did feel differently from some others with whom he acted, but on questions of this nature, and particularly on that of the transit duties, he met with more opposition from the other than from his own side of the House. Therefore it was that he felt the restrictive system so deeply rooted, that it was difficult to induce any gentleman to oppose it. This it was which had prevented him from carrying his principles into effect. But on looking into the question, he found that the hon. member and he agreed as to the general principles. They agreed, at all events, that it was impossible all at once to alter our commercial system. He was by no means prepared to say, that upon an inquiry, and upon arguing the question, many practical improvements could not be made. In point of fact, a considerable alteration had been made, and a considerable relaxation had taken place, in our commercial regulations, within a few years. Within the last two or three years, three commercial acts passed; one of Richard the 3rd, one of Edward the 2nd, and one of Elizabeth, had been repealed. The hon. member would also recollect, from the report of the Lords, the repeal of duties on 300 articles, upon some of which large duties existed, and upon others there was a total prohibition. The next point alluded to was the duty on timber. He felt no difficulty in saying that that duty required amendment; and it was his intention, in the course of the session to propose such an arrangement to the House. That objection he did not dispute. And he must say, that in all the communications which he had had with the interested parties on this subject, he had told them, that he was determined to propose such alteration to parliament. He agreed with the hon. member, that the importation of timber from the Baltic was preferable to that from Canada; but it was only fair to say, that the duty on timber was not a duty of protection, but of revenue. There was a duty before, but that of 1813 was a revenue duty, and it appeared to him necessary to make an alteration. The hon. member's next point was the navigation laws. He fully concurred with that hon. member, in saying that the navigation laws were hostile to the free commercial intercourse of the country. But he would say, that the injury so sustained was but as a feather in the scale compared with the great advantage derived from those laws in the protection and safety of the country. By the strict enforcement of those laws, we were able to keep our naval force, and protect ourselves in cases of emergency. But he was far from saying, that even in these laws there was not room for relaxation and improvement. Indeed, there were many improvements now in operation, but they were so scattered about in different acts of parliament, that it would be idle to attempt to point them out. With respect to the transit duties, he could not deny what had been said by the hon. member; indeed, he had endeavoured, though unsuccessfully, to alter them according to what he conceived to be the commercial interest of the country, but he had met with much opposition, whether from the efforts of a noble lord connected with the trade, he would not say, but so it was, that he was unable to induce those connected with and interested in the linen trade to concur with his view of the question. He did not, however, think it difficult to show those persons that they were in error. Those duties had effected the purpose desired to be effected by them, and in the altered state of things all rational grounds for maintaining them were removed. As to commercial treaties with foreign countries, it was evidently the object of every country to enter into such treaties as would most favour their own interests. One point he had heard from the hon. gentleman with particular pleasure, as it confirmed what he had stated before, and what some of the friends of the hon. gentleman had not admitted; the hon. gentleman had justified his noble friend and the government for not, at the peace, obtaining commercial advantages as favours from friends, or punishments on enemies.

Justice, peace, and policy, were equally opposed to such an acquisition of commerce. With France it was not easy to manage a commercial arrangement. Great prejudices existed on both sides, and very foolish prejudices they certainly were. Nothing was so preposterous as for any persons in either nation to repine, if any did repine, at the prosperity of the other. The prosperity of each nation contributed to promote commerce; the interests of commerce made peace necessary; and peace and commerce would thus go hand in hand. Much better was this rivalry than such animosity and narrow-minded contentions for military distinction, which led to so many evils. With regard to the agriculture of the country, he would only state, that it was a question of the greatest importance; it was one on which a great feeling had been excited, and there was not a member in the House who would not feel it his duty to attend to every suggestion which should be made as to its improvement. When any such question should be agitated, it would be the duty as well as the wish of his majesty's ministers to give it their best consideration. At the same time he did not feel that there was any thing so radically wrong in the present system as to induce an alteration; yet, he must repeat, that both he and his colleagues were always ready to attend to every suggestion which should be made with that spirit of fairness and candour evinced by the hon. member who presented the petition. When new measures were last year proposed respecting the corn laws, he felt it his duty to give his decided opinion against any interference on the subject of additional protecting agricultural duties, as he conceived that no alterations could then be made. With respect to India, he did not deny that the commercial interests of England would be promoted by an extension of the trade with that country; but he begged it to be considered that this was a question of compact. They ought not to suffer their anxiety to relieve the distresses of the country to press them into an act of unfairness or injustice. What the feeling of the India company upon this subject was he did not know: but they ought not, in honour, in good faith, or in fair dealing, to interfere with the interests of that company unless with its consent.

Mr. *Philips* argued, that the right hon. gentleman had made liberal admissions, but had at the same time intimated that his principles were counteracted by divisions in the government. If the same means had been used for removing restrictions as had been used for continuing the droits of the admiralty, the same result would have been obtained. If political economy were an object for which ministers chose to use their influence in that House, there was no doubt that the result would be the success of the right hon. gentleman's liberal and just views. But the objection was, that it was necessary to yield to the errors of others. This only showed, that on this, as on all other subjects, there was a division of sentiment in the government. But if this argument was good so far as to prevent us at once from retracing our steps, at least we ought not to advance one step further with the restrictive system. Yet, last year, a tax was imposed, of the worst kind of restriction, against the feelings of the country, and against common policy. The duty on foreign wool was in every view unjust and impolitic. That duty was severely felt both in Ireland and in this country, and added considerably to the already overwhelming distresses of the manufacturing districts.

Mr. *W. Douglas* said, he very much lamented that on a question like that before the House, there should be heard the least expression of any thing like party feeling. He was convinced that it could not be the wish of the petitioners to take any other view, but to represent to parliament what they really thought to be the sound principles of political economy, and to show how far the restrictive system of trade was contrary to those principles. Those alone were the objects of the petitioners; and he begged to express his entire concurrence in the sentiments of the hon. mover. He was happy to hear the right hon. the president of the broad of trade express his concurrence in those sentiments; but still he could not help feeling disappointment at some parts of that speech. The right hon. gentleman concurred in the views of the petitioners. He considered them important and desirable; but although a similar petition had been presented at the conclusion of the last session of parliament, and though the right hon. gentleman then, as now, professed sentiments friendly to those objects, yet he did not point out what practical alterations might be made; he did not say what specific plan might be followed; he did not countenance the appointment of a committee to satisfy the country on those points upon which the public mind required to be satisfied. On looking at the present state of the country, that plan appeared to him the very best plan that would most contribute to give general employment: that plan would be found the best for the landed interest, as well as every other interest in the country. The House should be prepared to take an enlarged and impartial view of the subject—not to oppose one interest to another, but to struggle to promote the objects of all; and, when they came to discuss the situation of the country, to adopt what appeared to them the best means for its relief and its prosperity.

Mr. *Beaumont* concurred in the principles laid down by the hon. mover. Much of the evil under which the country now laboured might be traced to her commercial system, and the sooner it was improved the better. It was a fit subject for the interference of his majesty's ministers. When it was recollected that the right hon. the president of the board of trade, had so unequivocally expressed his opinion against the present restrictive system, that fact alone was sufficiently strong to require the interference of ministers, and to induce them to promote, by all practical means, the objects suggested by the petitioners.

Lord *Milton* said, he had heard the petition before the House read with great pleasure; he had listened too with much satisfaction to the speech of the hon. member who brought it forward. If any thing indeed in the present distressed state of the country, could give satisfaction, it was that of hearing the sound principles of political economy and the liberal principles of commerce embraced by so respectable a body of men as the merchants and traders of London. But that was not the only satisfaction which he had experienced in the course of the debate. The speech of the right hon. the president of the board of trade would have increased the satisfaction he felt on the present occasion, were it not for the little alloy which was too apparent in it. To him it appeared, that the principles and the conduct of the right hon. gentleman were not in unison. He had expressed very excellent principles, but when he came to explain his conduct, and the conduct of the government with whom he acted, he was not so successful in rebutting the accusation so often and so forcibly made against them, that they were more disposed to countenance particular interests than the enlarged and general interests of the community. This was a subject upon which no partial interests should prevail—on this subject they were called upon to legislate for the empire at large, and the hon. gentleman opposite (Mr. Beaumont) should not consider that he was the member for Northumberland, nor he (lord Milton) that he sat there as member for Yorkshire—but both of them should look on themselves as the representatives of the people, bound to consult and to promote the general interests. It was admitted on all hands, that the situation of the country called for a union of counsel and of action; but if they looked at particular interests, they would lose sight of more enlarged objects, and, by narrowing their views, would decrease the capability of promoting the general good. Looking at the different interests of the country, he saw the agricultural interests, to use a homely phrase, scrambling for the increase of the price of corn—and, with respect to the manufacturing interests, he observed the same feeling, and heard from them the complaints of general distress. To him it appeared that the great error of those different interests was, that they did not see the difficulty in its proper light the distress of which they respectively complained, was not, in truth, the distress of the agriculturalist, nor of the manufacturer, but it was the distress of the country at large—in which, of course, the agriculturist and the manufacturer were comprised. He did not think so ill of the patriotism of either party as to doubt that they would not sacrifice their particular interests, and consult the general interest. Certain it was, we could not go on long in the situation in which we were. Last year the chancellor of the exchequer came forward, and stated with a great deal of fairness and frankness, that a surplus of 5,000,000*l.* was necessary. He did not know whether to blame the right hon. gentleman's want of sincerity, or to discredit his prophetic powers in the declarations he had made respecting the produce of the new taxes; but blame or discredit must fall somewhere. Either he saw that he could not raise the revenue which he announced, and then he was guilty of misleading the House and the country; or he did not see, but expected the realization of his predictions, and then he was the worst prophet that ever opened his mouth in parliament. If the opinions of so insignificant an individual as himself were worthy of being remembered, he might appeal to the recollection of the House, whether he had not then asserted that government would never succeed in their attempt to raise additional supplies by fresh burthens—that on the present system the sources of taxation were exhausted, and that ministers began at the wrong end when they endeavoured to raise taxes without first adopting some measures to enable the people to pay them. Now with regard to the petition before the House, he was glad to say, that in all its principles he concurred. It stated the restrictive system as one of the causes of the national distress; and though it was not the sole cause of this distress, it was certainly one of them. The pressure under which the country at present laboured had been ascribed to various causes by various persons. Some said that it was mainly attributable to the system of poor laws, and the immense increase of the poor rates. Now, as regarded this growing evil, it ought to be considered whether the system which we had been pursuing for many years had not a tendency to absorb capital from the general body of the people, and to accumulate property in a few hands. While therefore, during the war, our population increased, owing to the augmented demand for labour, this increased population extended the system of dependence, and multiplied the number of those who required relief when the extraordinary resources of war were withdrawn. The pressure of the times had consequently not fallen in due proportion on the higher classes of society. It was felt with great severity by the labourer, the manufacturer and the artisan, while it scarcely affected the rich capitalist, or the great landed proprietor. The present commercial system was another cause of the general distress. The restrictions by which it was distinguished were of a nature not only to injure ourselves, but to provoke retaliations of a similar injurious tendency from other nations. Accordingly, instead of an interchange of commodities, founded on the reciprocal capacities and wants of different nations, every nation seemed to consider that it ought to receive nothing from its neighbours, and to wish to realize the prediction of the poet—

——nec nautica pinus
Mutabit merces; omnis ferit omnia tellus.

If we were to obtain the articles which other countries could supply, we should obtain them with as few restrictions as possible. This principle would not go the length of inducing us to abolish the regulations with regard to the importation of grain and the navigation laws. If the independence of a country was of more consequence than an increase of its wealth or an addition to its commerce, the laws which protected that independence should be maintained at the expense of these advantages. But though this principle might lead us to support the corn laws, and the navigation laws, it should be carried no farther; and we ought to be allowed to procure the luxuries and commodities of other countries, where our security and independence were not affected as cheaply as we could. Another cause of the present distresses of the country was the change lately effected in our currency. He rejoiced at the measures taken to enforce and prepare a return to cash payments, but he could not conceal from himself, that the transition had occasioned a considerable degree of embarrassment and pressure. The House was unwilling to alarm the country concerning the temporary results of a measure which they conceived so necessary to its permanent security; and there hon. members had not placed anticipated evils in so strong a light as they might have done. He believed even his hon. friend near him (Mr. Ricardo) had formed too low an estimate of the pressure which a change in our currency would create; nor had the evil yet, he was afraid, reached its point of greatest severity. He rather wished than dared to hope that we had now passed the extremity of the evil, and that we had not still to suffer more than we had yet suffered. At any rate, ministers ought to have considered this point with more care, before they had added the burthen of additional taxation to the pressure arising from a contraction of our circulation. He could not bring himself to believe that they could now realize the five millions which they predicted would accrue from the new taxes. He had to express his obligations to the petitioners for bringing the state of the country before the House; and when he saw merchants of such high respectability, and so well acquainted with the condition of the commercial and manufacturing interests, complaining of the public pressure, and proposing measures of relief, he thought there could no longer be any doubt of its severity.

Mr. *Ricardo* begged the noble lord to recollect, that at the time when he spoke on the bullion question last session the price of gold was at 4*l.* 3*s.* per oz. and that now it was at 3*l.* 17*s.* 10½*d*; there could not, therefore, be such a pressure arising from this measure as the noble lord had described. At the time when that discussion took place, he certainly would rather have been inclined to have altered the standard than to have recurred to the old standard. But while the committee was sitting, a reduction took place in the price of gold, which fell to 4*l.* 2*s.* and it then became a question whether we should sacrifice a great principle in establishing a new standard, or incur a small degree of embarrassment and difficulty in recurring to the old. With regard to the petition before the House, he had heard it with great pleasure; and he was particularly pleased with the liberal sentiments delivered by the right hon. gentleman opposite. It was to him a great source of satisfaction that sound as well as liberal principles were put forward by so important a body as the merchants of London; the only thing that astonished him was, that it was only now that these principles were put forward—that they should have taken so much time in their progress, since they were first promulgated by Adam Smith. However desirable the system now suggested, it could not be denied but that some difficulties lay in the way of its completion. The difficulties were of two kinds; the first difficulty resolved itself into a question of revenue. To increase the sources of revenue was doubtless the object of every wise government; and where taxes of a particular kind pressed heavily upon the people, it did not appear to him a very difficult thing to substitute other taxes. Another difficulty, and a greater, was, respecting the vested interests. Many persons vested their capital on the faith of the continuation of the restrictive system, and therefore, however injurious that system might be, nothing could be more unjust than, by the immediate abolition of that system, to occasion the absolute ruin of those who vested large capital on the faith of laws so long established as the restrictive laws. But from this no argument could be surely drawn to continue the system in future times. No argument appeared to him more mischievous—more calculated to promote commotion and rebellion, than this—that if they once did wrong they should never do right, but that they should go on in error and make every mischievous system perpetual. He thought the House ought now to do what was suggested by the bullion committee. There were difficulties of a very formidable kind connected with the system embraced by the committee, at least with its immediate execution. And what was done on that occasion? Why, that which ought to be done on the present—to spread the return to cash payments over a great space of time. So now might they return, gradually return, to a better system of commercial regulation, allowing full time to those who had their property invested, to turn it into other channels. After they had done so, they might say to the capitalists, "The present system will continue only so long as you can accommodate yourselves without any sacrifice of your interests, to the new one which we propose." Some restrictions might thus be removed immediately, without any inconvenience; others might be gradually relaxed, and others might be left till our situation had so greatly improved as to render their removal no inconvenience. He was surprised that the right hon. gentleman who had expressed such liberal principles of political economy, and had so freely declared himself against the policy of our commercial restrictions, had yet made a reservation in favour of the corn laws. They were necessary, he said, to protect the agricultural interests; and he (Mr. Ricardo) would admit the validity of the argument, provided it could be made to appear that the agriculturists suffered more burthens than other classes of the community. But what were their peculiar burthens? They did not suffer more from the malt-tax, or from the leather tax, or from any other tax with which he was acquainted, than any other class of men. These taxes were common to all, and all felt their pressure alike. But the poor-rates, it was said, operated on them as a peculiar burthen. Well; if the poor-rates were really more oppressive to them than to other classes, and tended to raise the price of grain, he would recommend a countervailing duty on the importation of foreign corn, to the amount of the operation of that cause. He allowed that the poor-rates actually raised the price of corn, because they fell upon the land, and operated as a burthen solely upon agriculturists. But if, while this burthen was felt by them, other classes of the community felt equal burthens, they were put to no disadvantage, and ought to receive no protection. He was fully prepared to admit, that the necessity for supporting the poor constituted the only or the best apology for the corn-laws. Tithes likewise were another burthen to the landed interest, and tended, he would allow, to a certain extent, to raise the price of grain, and for these he would have no objection to allow a countervailing duty. There was this difference between poor-rates and tithes—that while we must support the poor, whatever was the produce the church could only claim a tenth of what was raised; for, whatever was the deficiency of produce, the clergy must conform to their proportion, and find it sufficient for their support.

Mr. *Ellice*, after a few observations in reply to Mr. Ricardo, said, that since the return to cash payments was finally settled, to the present time, every staple article or produce connected with manufactures had experienced a fall of from 30 to 50 per cent; the only articles exempt from the operation of that system were agricultural produce, and that was kept up by the protection of the corn laws. With respect to the petition before the House, he entirely agreed in the objects proposed, and he was willing to give the fullest credit to the professions made that night by the right hon. the president of the board of trade, to concur in the propositions that petition contained. But, unfortunately, the state of the debt and the finances, rendered it impossible, without some great alteration, for the House to pay much attention to the petition before them. When they considered the state of the public debt, when they knew how the right hon. gentleman opposite would be reminded by his right hon. friend the chancellor of the exchequer of the loss to the revenue which would follow an alteration in the system, they would, he feared, but deceive the country, if they were to encourage hopes of any great advantage being likely to be derived from the present petition, or the system, however admirable, which it suggested. There were other considerations which ought to be met. His hon. friend who presented the petition had stated that a number of gentlemen in Glasgow and its neighbourhood, who were engaged in manufactures, were alarmed at the disturbances of the country, and had withdrawn their capital from trade; but he should also have looked to the causes which led to the distress in that part of the country. In Lancashire, when the wages of labour were low, the poor-rates were resorted to. If that system were to go on, the whole manufacturing interests of Scotland would be soon destroyed, because, in Scotland they could not, as in Lancashire, make up the deficiency of wages by the poor-rates. This was one of the difficulties which must stare them in the face, when they attempted to adopt any regulations. Still, however, some benefit might be derived from the proposed plan, and some vexatious regulations which impeded the true principles of commerce might be done away with. The bonding system was a vexatious and injurious regulation—but the whole of the bonding system (particularly with respect to the repeal of the stamp duty) could not, he was aware, be got rid of without encountering much difficulty. Under all the circumstances, he approved cordially of the plan proposed by the petitioners, whilst he lamented the difficulties that existed in the way of its ultimate success. When any practical attempt should be made to promote that object he would bestow upon it his best attention, and exert for it his best energies. He would entreat the right hon. gentleman opposite to take the matter under his own management, and to suggest to parliament at no distant day, some mode of carrying into effect whatever could be adopted to meet the objects of the petitioners.

Mr. *Marryat*, after complimenting the petitioners and different members of the House, for the liberal ideas which they had expressed, entered into some statements as to the commercial advantages which this country enjoyed from its colonies. By the restrictions imposed on them, and the manner in which the intercourse was carried on with them, they were made to contribute most largely towards the prosperity of the mother country: they were limited to an intercourse with us alone: their produce was imported in British ships, and paid for in British manufactures.

Mr. *T. Wilson* said, he could not but concur with the hon. gentleman who spoke last but one, that in the present state of the country little could be done towards furthering the object of the petitioners. The restrictions of which they complained could not be entirely removed while the taxes remained the same. It was impossible now to discuss the question to any useful result. He was glad to find that all the hon. gentlemen who had addressed the House upon it had spoken with the greatest temper and moderation; but, to effect any practical purpose, the question must be brought before them in a very different shape. The different parties affected should lay their interests before the legislature, and then the whole subject might be fairly discussed.

Mr. *Baring* said, that there was one point of importance on which he had the misfortune totally to differ with his hon. friend (Mr. Ricardo); on that point, as on every other, he would differ with him with reluctance and with diffidence. When his hon. friend stated that the difference in the currency was but as 3*l.* 17*s.* 10½*d.* compared to 4*l.* 3*s.* he must differ from him entirely. He did conceive that the difference between 1*l.* sterling at present, and 1*l.* sterling during the period of the war was at least 5*s.* On an average during the war as compared to the present time, the difference was at least five and twenty per cent. This he stated without considering the casual difference between one day and another. The value of the currency had been fluctuating during the whole of the war, and defied all calculation; the value of commodities did not immediately follow the fluctuation of the currency, but took time to accommodate itself to the value of money. It was impossible to say what the value of a pound sterling was during the war; yet the difference was seldom for the last 12 or 15 years, as compared with the value of money at the present time less than five and twenty per cent. He had entered on this point because he considered it a vital one, and because it was, in his opinion, necessary that every gentleman should make up his mind on the subject, not with a view to a practical result on the question before the House, but to form correct or consistent opinions generally on the concerns of the country. He stated this because he felt that the change in the currency was one of the circumstances that weighed on the country; for, besides the putting an end to the depreciation of the currency, the scarcity had been augmented by the difference in the facility in the negotiation of paper, which carried the change in the state of the monied world much beyond the difference of prices. In saying this he did not venture to say, that if the thing were to do over again he would not do as he had done; he was sure the country had done what was honourable and liberal, in declaring that they would return to the old standard. Whether they had promised more than they would be able to perform, was a point on which, he was sorry to say, he had not made up his mind. We had now a declining commerce and a declining revenue; and till we could say that this decline had ceased, it was impossible to say whether the country could perform what it had promised. He should, perhaps, in the next session, have to make a proposition on this subject; he said in the next session, because the present session was likely to be so short as to afford little time for investigation, and because he was willing that the country should proceed for some time with its present system, to see what might be its effects. All the difficulty of the country was in its having a large debt; for without that we might accommodate our taxes to any standard of value whatever. We had now to pay our creditors a higher value than we had received from them; but in doing so it would be contended by no one that we should go further than the law under which the debt was contracted required. Now, we had done something more. In returning to the metallic standard we had taken gold alone as a standard, and not silver and gold. We had then, as it happened, undertaken to pay not only all that was required by law, but something more. To add facilities to the circulation he should probably propose, if events did not alter his opinion, in the first place to make perpetual the plan of his hon. friend for payment in metallic bars instead of coin, for which the country was infinitely indebted to his hon. friend, and in the next place to give the Bank the option of paying, either in gold or in silver, not in depreciated or debased coin, but in weight. It happened that at present, for instance, silver was 1½ or 2 per cent under the Mint price, so that payment in that metal would be a facility to the Bank, whilst the most scrupulous could not deny that in paying the pound sterling in one of the metals which formed the legal standard at the time when the debt was contracted, the strictest justice was done. As to the petition itself before the House, the principles which it contained had met with so unanimous a support, that he wondered whence that opposition could come, by which the right hon. the president of the board of trade seemed to be deterred from attempting any reform of our commercial system, and he could not help expressing a hope that for the future that right hon. gentleman would not listen entirely to the suggestion of others, but, in treating the subject, would rely on his own excellent understanding.

Mr. *Ricardo*, in explanation, stated that he had never imagined that the currency had never been depreciated more than 4 per cent. He had merely contended, that at the time when the subject was taken up by parliament in the last year, there was only that depreciation; which was too small to warrant an alteration of the ancient standard. He was well aware that during some of the latter years of the war, the depreciation had been as great as 25 per cent.

The petition was ordered to lie on the table. A similar petition was presented from the chamber of commerce of Edinburgh. On the motion, that it do lie on the table,

Mr. *Ricardo* said, he would take that opportunity of making an observation as to the two standards of gold and silver. He fully agreed with his hon. friend, that a payment in both would facilitate the payment of the public creditor; but then there was a question whether two standards would not be more liable to fluctuation than one invariable standard. If payment were made in one metal, it would be liable to less fluctuation than if made in two, and in two it would be less than if made in three; therefore he considered the payment in one metal as preferable, being liable to less fluctuation.

Mr. *Baring* considered the difference in this respect as more theoretical than it would be found in practice. He had never found the variation to be so great as was apprehended; and as, upon his hon. friend's own admission, the payments in both metals would afford a facility which could not be otherwise acquired, he thought that plan preferable.

Mr. *W. Smith* thought that the price of one would act as a corrective on the other. He therefore preferred the plan of payments in both.

Ordered to lie on the table.

Civil List.] On the order of the day for further considering the Report of the Committee on the Civil List,

The *Chancellor of the Exchequer* said, that before he moved the second reading of the resolutions, he should shortly explain the circumstances under which they were offered to their consideration. In doing so, he should have lamented if it had been necessary to trouble the House with that infinite mass of voluminous details which at former times it had been necessary to investigate. The object of those who had on former occasions offered those details to parliament was, either to explain the manner in which deficiencies had arisen in the civil list, and to exculpate those who had had the management of it, or to form the ground of some new system. Neither of those causes now called upon him for any observations He had no deficiencies to account for, because none had occurred since the last arrangement of the civil list, and he had no new system to propose, because the system then adopted had been found perfectly effectual. In comparing that last establishment in 1816, with the former arrangements, it was necessary to remark that at four former times had parliament made payment of the debts of the civil list, and four times without accounts or investigation on the mere statement of the fact in a message from the Crown—and thus four times had voted a permanent increase of the civil list. In 1782, a very considerable improvement in the civil list arrangements took place, and permanent rules were laid down for the administration its revenues. It was thus the civil list charges were divided into classes, to be paid in regular succession, and on this principle it was hoped that such a system of economy would be carried into practice, as would prevent the recurrence of embarrassments. If Mr. Burke, the illustrious author of that bill, had gone a little farther, his hopes would probably have been well founded; but though he divided the ordinary expenditure into classes, a power was given to make occasional payments to any amount. Though no limits were set to the contingent expenses, there was no deficiency in the civil list thenceforward, till the breaking out of the French war—but after that; all the contingent expenses were so increased, that there was an arrear of 900,000*l.* At that time extensive accounts were laid before parliament—the debts were paid, and further provision was made for the civil list expenditure. From that time forward, though the ordinary expenses of the civil list exceeded the sums allowed for them, it was not found necessary to call for a direct provision for them, as the large sums at the disposal of the Crown, in the shape of droits of Admiralty, &c. afforded a fund to supply those deficiencies. Yet in 1804, the authority of parliament was again resorted to, and estimates were framed for the future expenditure of the civil list. In 1812, the subject came again under investigation, and an excess of 124,000*l.* per annum was found to have taken place. Between 1812 and 1816 a further increase of expenditure took place, and a greater excess happened than in any former years. A committee was then appointed, which sat three months, and the arrangements in consequence of its report were brought forward in the House by the noble secretary of state for the foreign department. That bill repealed so much of Mr. Burke's bill as regarded the payments according to the order of classes, and directed that the demands of each class should be answered by appropriations at the beginning of each quarter. The advantage on the score of economy from this arrangement was very considerable, because the different departments of the household being thus enabled to deal with ready money enjoyed an advantage thereby, which they had never had under any other system of the civil list. It also provided in a complete manner for the comfort and convenience of the persons, many of whom were in narrow circumstances, who depended on the civil list. The distress which some of the officers suffered who were five, six, or seven quarters in arrears, might be easily conceived. In both these particulars, the arrangement of 1816 was an improvement, but with respect to the public the advantage was still more considerable, by its economy in comparison with former times. The expenses of the civil list since 1816, had been less by 150,000*l.* than the average of the three years before. In proposing the establishment at present of a system similar to that of 1816, he was proceeding on a principle already sanctioned by parliament, of providing a sufficient, but not an extravagant allowance, retaining such a control over the expenditure as would prevent the recurrence of future debt. The establishment of 1816, he should therefore propose entire, with the exception of the reduction of the first class. That class contained allowances to the amount of 298,000*l.* a year, being the allowance for the Windsor establishment, the privy purse of his majesty, the allowance to her late majesty, and the privy purse of the Prince Regent exercising the functions of royalty. Of these allowances, the king's privy purse of 60,000*l.* a year, was all that would remain; and as this class alone was the only one in which the circumstances connected with the demise of the Crown had made any alteration, it was the only one on which he should propose any change. There would be thus a saving of 238,000*l.* with the exception of such provision as the liberality of parliament chose to make for the servants of his late majesty. He did not feel it necessary at that moment to go into any further detail, as he understood there was a motion in amendment to come from the other side of the House. If that should be the case, he should have the usual courtesy of the House in being allowed to reply. The right hon. gentleman concluded by moving, "That this report be now taken into further consideration."

Lord *John Russell* said, it was with considerable pain, that, on an occasion of a grant such as the present, he felt it his duty to move that this report be taken into further consideration at a future day. This he did with the view of its coming before a select committee. It would have given him much pleasure if his majesty's ministers had taken this latter part of the task upon themselves, because it would best have come from them. He felt, also, doubts of the success of his motion, when he found that neither the learning, the wit, nor the eloquence of his hon. and learned friend (Mr. Brougham) were successful in an appeal on the subject the other evening. His motion, however, had one advantage which did not belong to that which was submitted by his hon. and learned friend—that it was not complex in its nature, nor intricate in the immediate question to which it referred. The question to which he wished to call the attention of the House was simply this—whether they, the representatives of the people, just returned from the people, with their professions and promises still on their lips, would, in a new parliament, take estimates into which they had made no inquiry, on which they had given no opinion, and agree to those estimates without looking either to the necessities of the sovereign or the distresses of the people. He thought that a mature and due examination into those estimates would be more grateful to the monarch, more beneficial to the people, and more satisfactory to the House itself, than the plan which was proposed on the other side. The time, too, was one at which minute examination into every branch of our expenditure was called for; it was a time when the complaint of distress was heard from all classes—when our commerce was embarrassed and our agriculture reduced. A part of this distress, by the way, had arisen from the arrangement with respect to bullion payments last year. He did not mean to find fault with what had been done in this respect; he only mentioned the circumstance for the purpose of showing how much more difficult it was to retrieve errors than to fall into them. In this state of the country, when we had more taxes than at the end of the war, the House, he conceived, should pause before they sanctioned any grants without a due inquiry into the grounds on which they were proposed, and the necessity which existed for them. For his part, he would say, that if the arrangement of 1816 were as economical as the establishment of the president of the American republic, still it ought not to be adopted without due consideration. As to the assertion of a right hon. gentleman with respect to time, he would say, that ministers had dissolved the parliament when full time might have been allowed for the consideration of this subject. If it were intended to pass it over now without consideration, it would have been as well to mention the whole sum required, and say, "that was the sum demanded by his majesty," as to come down with those resolutions to the House for the sums now proposed. With respect to the present civil list, he conceived there was a fallacy in it, for it should be considered that the queen was still to be provided for, as well as the servants of the late king. There were also some of her late majesty's servants to be provided for; yet these, he thought, should form part of the list. It should be recollected, that when the last arrangement was made there were two establishments. There were, it might be said, two kings and two queens to be provided for; and was it not a little too much to say (if any regard to economy was kept in view) that the same sums should now be demanded as when these several establishments were to be supported? His late majesty had a groom of the stole—an office which might be reduced without any derogation from the due support of the royal dignity. At least there were many offices of that kind which might be spared, without derogating in any respect from the dignity of the Crown. Many of the unmeaning institutions of feudal times might be safely reduced, without producing any diminution of the monarch's dignity, or any inconvenience to the public. That such an office as that of master of the hawks belonged to the "olden times," and had once contributed to the splendor and dignity of the Crown, was surely no reason for continuing it at the present day, when it was entirely useless. If such situations were to be upheld from respect to ancient usage, and without any regard to their utility, the king ought still, on the same principle, to have his fool, and be allowed straw for his beds, and litter for his chambers. But, of all the faults which were to be found with the civil list that had been proposed, the greatest defect was in its arrangement. Various arrangements of the civil list had been made on various occasions; and from the report of the committee of 1815 it appeared that its debts had been paid nine different times: 4,866,000*l.* had been given to the civil list out of the droits of admiralty; upwards of 9,000,000*l.* had been paid out of the consolidated fund; making, together with other sums, an amount of 17,641,000*l.*, which had been supplied to the civil list when the committee made its report; and, adding to this the various civil charges which had been defrayed since that period out of other funds, it was a moderate estimate to say, that, altogether, 20,000,000*l.* had been paid towards the civil government, from funds different from the ordinary civil list. The old and original notion of a civil list was, no doubt, that the whole charges of the civil government were to be paid out of it. These charges, however, were soon found to be so great, that the allowance granted in the name of civil list could not cover them all; but still no perfect arrangement was entered into for supplying these deficiencies. Some parts of these expenses continued to be paid out of the consolidated fund, some were left chargeable on the civil list, and others were paid partly out of the one fund, and partly out of the other. Thus, the Speaker of that House was paid under one head, and the judges under another. The heir-presumptive was nowhere to be found in the civil list; but, on the other hand, the lord chancellor and rat-catcher of Carlton-palace appeared under the same head, and were paid partly out of the civil list, and partly out of the consolidated fund. When his hon. and learned friend moved the other night for an inquiry into some branches of the civil list, the whole of his arguments were met by the phrases "a stipendiary king" and "an insulated king;" and the right hon. gentleman opposite had deprecated the idea of inspecting the household accounts of the king, as a degradation fatal to the dignity of the monarchy. But who, he would ask, had brought before the House the accounts of the civil list? Why, ministers themselves. Those very papers from which the right hon. gentleman had read a list of charges for bread, butter, cheese, &c., by way of exemplifying the degradation to which such an inspection would subject the Crown, had been brought down by ministers, in order to show the debts on the civil list. It was not to be considered, however, because these were debts on the civil list, that they were debts of the king. On the contrary, the noble lord opposite at the time the subject was discussed, stated that they were not expenses of the Crown, or of any part of the royal family, but sums given as presents to foreign ministers, and charges of a similar nature; for instance, so many thousand pounds to celebrate the festival of the restoration of Ferdinand 7th at Madrid. Then the term "stipendiary king" was repeated over and over again, and the desire to insulate the sovereign from the civil charges was represented as a horrible thing, calculated to strip him of all his dignity, and reduce him to the level of a president of a republic. A want of respect for the Crown, or a desire to lessen its dignity, was not a prevalent feeling in this country. They saw that in the most violent political publications—even in those of Cobbett—there was every respect paid to the Crown; nor did there appear any wish to introduce a republican form of government. The hon. gentlemen opposite, when they wished the measures of government to be supported, did not call on the friends of their country to rally round the minister, but round the Crown. It therefore could not be dangerous, but would rather be productive of benefit, to insulate the king from the civil charges, for the Crown was not protected by the charges on the civil list. What protection, for instance, could it derive from the charges under the head of secret service money? Surely, it would not be supposed that the Crown was protected by the money paid to Oliver, Castles, and Edwards, and men of that stamp. But besides those offices that added nothing to the dignity or safety of the Crown, there were several of a different description on the civil list, which, in his opinion, required some regulation. It had been the wise policy of this country to remove its judges from places of political debate, and to give them no temptation to yield to improper influence. But on the civil list there was one judge who had a seat in that House; and this circumstance he considered a deviation from that salutary principle which was so well calculated to secure respect for those who administered the laws of the country. He hoped he had now said enough to induce the House to go into an inquiry on the subject of the civil list; and he should therefore conclude by moving, as an amendment, that the word "now" be omitted, and that the words "this day week" be inserted.

Mr. *Warre* seconded the amendment, and said, that when the committee of 1816 was appointed, it was deprived of the very life and essence of a committee of inquiry. When his right hon. friend (Mr. Tierney) proposed that it should be allowed to send for persons, papers, and records, his proposition was negatived; and when a proposal was made to call before the committee an efficient officer of the lord Steward's department, it was rejected. The committee had nothing to proceed upon; they were obliged to trust implicitly to papers delivered to them from the different departments. Into the grounds on which those papers were formed, they were not allowed to inquire. He could not, therefore, rely upon the accuracy of those statements, or upon the correctness of those calculations, to which the chancellor of the exchequer appeared to think the House so peculiarly bound to attend. He was by no means disposed to countenance any denunciation against the splendor of royalty.

On the contrary, no man could be more anxious to support that splendor; but he objected to any degree of expense unnecessary for that purpose, and believing that such expense was included in the civil list, as it was at present arranged, he was desirous for a full, fair, and elaborate inquiry upon the subject. Such an inquiry he was led to expect that ministers themselves would have been forward to propose, upon the accession of a new king; that expectation was, indeed, encouraged by the language of ministers themselves upon the discussion of the civil list in 1815. But, at all events, he having pledged himself on that occasion to support such an inquiry upon the demise of the Crown, felt that he was called upon in this instance to redeem his pledge, and therefore he seconded the motion of his noble friend.

Mr. *Huskisson* said, he had always thought that there was great difficulty in discussing this question, because, from the terms in which they expressed themselves, it appeared as if there were opposite and conflicting interests at stake. But he was sure that every person who carefully directed his attention to the subject, would perceive that the civil list involved the general interests of the state. In the first parliament of a new reign, such an inquiry as that proposed by the noble lord was likely to be received with great favour. But he would tell the noble lord, that, in the practice of former reigns, there was no precedent for such an inquiry. There was nothing in the circumstances of the late demise, or the present accession, which could be urged as a reason for taking the civil list out of its ordinary course. The amount of the expenditure necessary for supporting the dignity of the Crown, and defraying the charges of the civil government, was not necessarily changed by the demise of one sovereign, and the accession of another. On the present occasion, indeed, there were circumstances which, even admitting that precedents were in favour of the noble lord's motion, would induce the House to deviate from such a course. When the noble lord talked of the groom of the stole, his answer to the noble lord was, that the groom of the stole belonged to his late majesty, and that the saving arising from the termination of that office would be carried to the account of the public; for the whole of the Windsor establishment terminated on the demise of the late

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sovereign. If no change had taken place from the situation of regent to that of sovereign, the noble lord might have had some cause to complain, and some grounds for demanding inquiry. But when it was proposed to give back the whole of that establishment which had been made for the late sovereign, neither the one nor the other of the noble lord's propositions could be sustained. It could not be made out that the establishment for the prince of Wales, when Regent, had been more than was necessary, or that in the administration of that establishment there had been any unnecessary expense. As to the first of these propositions, the noble lord would not say, that his majesty ought to have a smaller income as king than he had enjoyed as regent; and if the noble lord was disposed to quarrel with the manner of the application of that income, he had not made out the shadow of a case. All the particulars of the application of the civil list were before the House in the report of 1815, in details so minute as to be almost unbecoming the dignity of the Crown; so that any gentleman, if he thought there was an instance of unnecessary expenditure, might be able to point it out without any farther inquiry. The office of master of the hawks had been laid hold of, and held up to ridicule, as one that added nothing to the dignity or safety of the Crown, and that ought therefore to be abolished. But when he stated that this office was a freehold, granted by a former monarch, and as much property as any grant of lands made by Henry 8th, he thought he had satisfactorily answered all that had been said about it. The very same might be said of many other trifling salaries which had been made the subject of ridicule. The hon. and learned gentleman (Mr. Brougham) had, on a former night mentioned the vicar of the Tower, with his salary of 6*l.* 13*s.* 4*d.*, and had ridiculed the continuance of such an office; but if the hon. and learned gentleman had stated at the same time that this salary, and others of the same class, were granted in perpetuity, he would have been more correct. If the hon. and learned gentleman, or the noble lord, thought that these charges should be subjects of a particular motion, with the view of abolishing them. [Mr. Brougham denied that he had expressed a wish to abolish them]. He was happy to find that he had misunderstood the hon. and learned gentleman, and he wished he had been pleased to state the reasons which induced him to treat these offices with so much ridicule. As to what had been said about the relative value of money at the time the civil list was settled and at present, he would appeal to all who recollected the state of the country in 1816, the price of commodities, and the state of the exchanges, whether the currency was not then as valuable, and the prices of commodities as low, as at present. He would assert positively that this was the case; and, in consequence of this circumstance, estimates were at that time laid before the House, in which a reduction of 21,000*l.* was made on 150,000*l.*, in the three great departments of the master of the horse, the lord steward, and the lord chamberlain. This deduction was made without any report or recommendation from any committee. Here the right hon. gentleman took a review of the original institution, and of the several changes in the arrangement of the civil list. By the 12th of Charles 2nd, the civil list was first established for the support of the splendor of the throne, in aid of the produce of the hereditary revenue. In the reign of William 3rd, a civil list was granted to the king to the amount of 700,000*l.*, that sum including the receipts of the hereditary revenue; and it was provided, that if those receipts should exceed the sum specified in the act, the excess should not be appropriated without consulting the judgment of parliament. By the act of George 2nd, the amount of the allowance to the civil list was settled at 800,000*l.*, with a provision, that if the receipts of the hereditary revenue should exceed that sum, the excess should be at the disposal of the Crown; while, if there was any deficiency, such a deficiency should be made good by parliament. In these two statutes of William 3rd and George 2nd, although so contrary in some of their provisions, gentlemen would see the heads of the hereditary revenue, and might easily comprehend the difference between that and the casual revenues of the Crown. Upon the accession of the late king, the first act of his reign involved a surrender of all the hereditary revenues, in lieu of a settled allowance for the civil list, his majesty still retaining what are called the casual revenues. But previous to this surrender, the hereditary revenues were deemed the private property of the Crown, the utter alienation of any part of which was provided against by a specific act of parliament. By the act of the 22nd of the late king, which was commonly called Mr. Burke's act, a classification of the civil list was arranged, and in this state it remained until 1816, when that change took place in the system which it was now proposed to continue. In 1816, certain charges were transferred from the civil list, over which it was impossible for the House to exercise any degree of control; therefore these charges could not be properly continued in that list. For instance, the payment for printing and stationary for that House. The expense under this head was, at the commencement of his majesty's reign, not more than from two to 3,000*l.* a-year; whereas, within the last war the expense of printing alone amounted to no less than 100,000*l.* Now, he would ask any man if it were possible for the Crown to contemplate such a contingent expense out of the civil list as this? He had already stated, that to a fixed income, which was granted to the late king at the beginning of his reign, there was applicable an infinite variety of expenses, over which the Crown possessed no control. To prevent this had been the object of an arrangement entered into for the purpose of putting the Crown in possession of certain funds for the defraying of certain expenses. But, as the case stood before, it was impossible, as he had shown in the article of printing, that the Crown could ever contemplate such a charge upon the civil list, because it could not be that out of a certain fixed income the Crown could provide for it. In short, the whole attention of the committee of 1816 was directed to this point—to remove from the civil list every charge which was of an uncertain, fluctuating, or varying nature. The third class which had been alluded to was the charge for foreign ambassadors; but this he should contend was a very proper charge to be provided for by a fixed sum. So far from wishing to see it removed, he thought that if parliament ventured every year to specify what should be the allowance for these ambassadors, many things connected with the subject might escape its notice, and the present amount would swell to a much larger size. To prevent this inconvenience the allowance was fixed. As to what the noble lord had said about the large expenses of fêtes or festivals, honourable gentlemen must know there could be nothing of that sort charged, without coming under the consideration of parliament. He thought the arrangement of 1816, one which was calculated to allow all those proper expenses which were necessary to support the becoming splendor and dignity of the Crown, subject only to the advice and suggestions of its responsible advisers. The benefit of this system had been seen from this circumstance—that, during the four years for which it had now existed, not one single shilling of debt had accrued—a circumstance before unknown and unheard of in the history of the civil list. The arrangement, therefore, of 1816, went to this—to establish a proper civil list, and to regulate its expenditure. Now, this office had been, in some degree, before vested in the lords of the Treasury; but to put this matter under the observation of an officer, who might have it always under his direction, was, for the first time, however desirable, effected by that arrangement. This was achieving that object which parliament had ever had in view, namely, that of confining the expenses of the civil list within those limits which the liberality, not less than the prudence of parliament, had considered necessary. He should maintain that here a great object had been effected. It now remained for the honourable gentlemen opposite to show in what particular these expenses were excessive, or in what particular the sum granted by parliament to the regency, for the due support of the splendor of the throne, had been too much, taking into account the increased expenses which had at that time devolved upon it. It was upon those grounds which he had endeavoured to make out that he should oppose the motion of the noble lord. He felt satisfied that there was no head of those expenses, to which the noble lord's speech had alluded, which parliament was now fairly called upon to re-model.

Mr. *Brougham* said, he was really sorry at that hour to detain the House, and perhaps owed some apology for again claiming its attention; but he thought proper to offer a few words in explanation of some observations of his, which had been greatly misunderstood by the right hon. gentleman who had just sat down. He was most unwilling to allow the House, or even the right hon. gentleman himself (who, he trusted, was the only person who, hearing what he had said, had so misunderstood him), to go away under an impression so wide of his real meaning as that which the right hon. gentleman himself seemed to labour under. The right hon. gentleman seemed to think, that in mentioning the particulars of those seven heads, to which he had called the attention of the House on Friday last, he meant to complain of the expenses under such heads, or to propose the abolition of the offices themselves. Now, nothing could be wider from his real intention, or more foreign to the application of that very argument, for the purpose of which he had cited these heads. But the right hon. gentleman said—"Oh, if you did not mean to propose their abolition, you have now an opportunity of saying so." No such thing: why should he be called upon to unsay that on Monday which he had not said on Friday? There was no ambiguity, he conceived, in what he then did say; and the fact was, that his statement was the very reverse of that commentary, that gloss which had been just given to it by the right hon. gentleman. He had stated those instances only in support of an argument to procure the separation of those heads from the civil list. Among others they would find those of the vicar of the Tower, the keeper of the lions, and the rat-killer. Not that he thought these offices useless or ridiculous; far from it. No doubt the rats were as likely to exist there as those more noble and more lordly animals, the lions; their existence could be as little a matter of doubt as that of a much graver and more serious character—the worthy vicar—or as that even of the keeper of the lions himself. Not that he for a moment proposed to abolish that noble office, of whose dignified utility they were by that paper perpetually reminded, turn their eyes which way they would. Not that he objected to that officer's moderate salary of only 15*l.* 10*s.* per annum, whether he considered the smallness of the compensation, or the great quantity of vermin, which, without question, he must destroy, or the general obnoxiousness of that vile race of rats. Far from all this; he never meant to insinuate any thing of the sort. And he would now mention, much more gravely and seriously, another office, which he only spoke of for the purpose of showing the infinite variety and discordancy of offices for which the civil list was at present chargeable; he meant that of astronomer royal—an office which the House would remember he had before particularly mentioned;

and sure he was, that no person who heard him in that House, nor any one out of it who knew his veneration for that noble science, or his respect for the individual by whom the important office was filled, could for a moment mistake his meaning upon this subject. He would not for a moment propose to diminish one pound of that gentleman's salary, which was so nobly and at the same time so hardly earned. But he was justified in instancing the office as one out of this extraordinary mixture of appointments; for it came under the same head as those of the famous vicar of the Tower, the keeper of the lions, and the rat-killer. All that he had to say, therefore, was, that it was hard he should be misunderstood as proposing that these offices should be abolished, or paid out of no funds at all, since he had only suggested that they might be paid out of the consolidated fund; neither did he consider that it would be any greater degradation to the Crown for these offices to be paid, together with itself, out of the consolidated fund, than it was for the Crown at present to defray the expenses of many such offices as were charged under the different heads he had mentioned.

Mr. *Tierney* said, that this discussion came on under circumstances of a nature perfectly unparalleled. It regarded the appropriation of a sum of 850,000*l.* at a period of public distress entirely unprecedented. It had appeared, in the course of that evening's debate upon another question, that the agricultural interest of the country was in a state of great depression, and that it was not probable at present that the evil would decrease. Of our commercial affairs there was but one opinion. They had heard from his hon. friend what was the state of our commercial relations, and he had announced to them that the depression experienced in them was not likely to be removed. He was addressing the House at a period when distress, he regretted to say, had broken out into acts of violence in several parts of the country. He was addressing them at a time immediately following a general election—when, whatever had been the differences of political opinions which had prevailed from one end of the empire to the other, upon whatever topic, among whatever descriptions of men, there had been but one general cry, in which all parties had joined—a demand for the exercise of a most rigid economy. Addressing an assembly like that which he had then to address, under such circumstances, no apology he conceived, was due from him, if he at once declared that he could not agree in the principle of the proposition stated by the right hon. gentleman. His objection to the motion of the noble lord, amounted, in fact, to this—that inquiry on this subject was without precedent, and consequently that there was something indelicate in refusing to vote this money without investigation. This was the end and scope of the right hon. gentleman's objection; but in another part of his speech, which was not quite consonant with that which he had just mentioned, the right hon. gentleman had said, that no inquiry should be gone into, because the present arrangement was the result of previous investigation. The right hon. gentleman had also said, that because there had been no excess upon the civil list since its arrangement in 1816, it was therefore an arrangement which ought to be permanent. With respect to the latter observation, it seemed to him (Mr. Tierney) that it would have been much better to have voted, in the first instance, 2,000,000*l.* instead of 1,000,000*l.*, because, if the original proposition was extravagant, but was to be supported as no excess had accrued, the larger sum upon that principle would have been still less liable, both to the excess and to the objection. That arrangement was the result of a committee appointed in 1815. The bill was brought in in 1816; and therefore he was to take it for granted that this establishment of the civil list was the result of that inquiry. He believed it would be in the recollection of hon. gentlemen, that he did object to the arrangement proposed by the noble lord, and that at the time he gave his reasons for so doing. He had stated on that occasion, that he cared little for any estimate which was to be framed by the officers of the Crown, and which was not to be sifted by public inquiry. He did state then, that that was absolute mockery which was to produce nothing more than certain papers, which they who were to present had an interest in preparing. It was nothing to say that those papers furnished an estimate, because for the lord chamberlain so many thousands were charged, for the lord Steward so many more; this formed nothing more than a mere list of prices, and amounted to just nothing, if no opportunity were afforded of seeing upon what ground they were stated. Nor was it any thing to say, here is so much charged for wine, or so much for any other article; for such charges the House would have no other security than the simple unqualified word of the framer of the estimate, subject to no check whatsoever. The answer which had been made to him at that time was, that there never had been an instance of imposing such instructions as he wished upon such a committee: and since then his predictions had been but too soon and too completely verified. With respect to the Board of Works, it was soon found impossible to go on at all without inquiry, and a fresh board was established, in order to supervise and examine the accounts of the other. As to the household, a certain gentleman was indeed appointed, with a salary of 1,500*l.* a year; but, notwithstanding all that the right hon. gentleman had said of the merit of this appointment—notwithstanding the opportunity of regulating the quantity and price of eggs and butter supplied to the royal household—no remarkable effect had followed, no great reductions had been made; but with respect to the Windsor establishment, there the case was different; there reductions were soon recommended; there the household of a dying king was considered as a fit and immediate object of retrenchment. Having examined colonel Stephenson, a report was speedily drawn up, and reductions were recommended under a great variety of heads. Well, then, here was a precedent for the right hon. gentleman for going into a committee to institute an inquiry. It had been asked by the right hon. gentleman, whether, in the event of such inquiry, it was proposed to assign this or that sum for this or that charge? He (Mr. Tierney) had said nothing of the kind; nor had he expressed himself upon this head, whatever might have been passing in his mind. He did, indeed, think it incumbent upon a committee to settle what would be the proper sum for the regulation of all those expenses; but he had not pledged himself at all upon the subject. He did not know but that the result of an inquiry might be to establish the charge of the civil list at what it was; neither did he know but what it might be to show, that it should amount to less than what it was by several thousand pounds; but this he knew, that if a saving of only one thousand pounds could be effected, it should be adopted. It would prove to the country their real desire to observe a strict economy. It would show that they had a feeling for the distresses of the country, and the country itself would willingly pay the charge of 849,000*l.*, if it could be shown that the result of such an inquiry had been to save a charge of one thousand pounds. Now he begged not to be understood as at all stating that such a saving could or could not be made. That was to appear by the report of such a committee as he wished to see appointed.—He should next beg to call the attention of the House to that famous report, in which the whole principle of the arrangement of 1816 was to be found. That report contained all the numerous details which had been alluded to by the right hon. gentleman. After the right hon. gentleman had seemed to consider that the matters which that report treated of were not matters now to be entered into by a committee, he (Mr. Tierney) would mention an instance of their competency who drew up the report. They had recommended, they had made a proposition to the House, that an additional officer upon the household, with a salary of 1,448*l.* per annum should be appointed; and by a mercy, or rather by an act of folly on his (Mr. Tierney's) part, the right hon. the chancellor of the exchequer was permitted to postpone the consideration of the subject to the next year—and then what happened? That ministers were ashamed of the proposition, and the matter was dropped. "But," said the right hon. gentleman, "this all arose from the noble lord's considering the alteration of prices, and the difference in the value of money; this and other reductions were made upon that principle." No such thing. No less than 139,000*l.* per annum less than the estimate was the deduction made from the civil list, without any thing intervening, and in a very short space of time; and by whom? By the right hon. gentleman himself. He would ask the right hon. gentleman whether the noble lord made this reduction by reason of the altered value of money, and the difference of prices? If he answered in the affirmative, how happened it that under the third class, the noble lord had made an immediate reduction of 20,000*l.* per annum? Add to this, 10,000*l.*, the charge for gardens, and here was a deduction altogether of 30,000*l.*, exclusive of other occasional payments; but with respect to the saving to be made upon those occasional payments, no man could know what was the amount of them. It was said, that these were to be taken out of the civil-list now, and accounted for hereafter. But did any man know what they would be? Was it meant to throw on the House the necessity of going through all those details which were before it, in order to get at the precise sum which could be so saved? He therefore knew of no other means, but by a committee of inquiry, of coming at the fact of what had been the savings of last year. The estimate which had been brought forward by Mr. Pitt, in 1804, had been alluded to; that estimate contemplated the amount of the probable expenses of the civil list for the next seven years ending in 1811, and upon this the arrangement of 1816, had, in part proceeded. It went on with the two years and three quarters next following 1811, and then made the estimate as upon that period collectively. Now those two years and three-quarters he threw out of the estimate altogether. They were two years and three-quarters marked by very particular circumstances, about which much unpleasant discussion had arisen, and which he did not now wish to revive. There was also another report made in 1812, which took for its basis a period ending in the year 1811. But honourable gentlemen on the other side had made this extraordinary assumption, that the estimate of 1804 was one which Mr. Pitt never intended to carry into effect—one never meant to have operation—in short, a mere random-shot. For his part, he never, in all his life, was any great Pittite, but he would not see Mr. Pitt treated in this way. They said they could not find out upon what grounds this estimate was made. Why not? All the gentlemen who made it, except Mr. Pitt and Mr. Rose, were, he believed, still alive. Here, then, was the estimate of Mr. Pitt; but, instead of adopting it; instead of considering it—they said, "Let us put every thing aside; Mr. Pitt never meant to carry this into effect, and therefore let us say no more about it." "In 1804, Mr. Pitt's object," said the right hon. gentleman, "was, to make the civil list 940,000*l.*" giving, as his reason for this assertion, that from the estimate which he had made he had deducted 82,000*l.* out of one charge alone of 135,000*l.* He (Mr. Tierney) gave Mr. Pitt credit for an intention to make a farther reduction than this in the civil list, judging from the estimate of former years. Taking an average of the three preceding years he would have effected a saving of 47,000*l.* per annum in those three years; and what was there surprising in Mr. Pitt supposing that he could keep the civil list within the bounds prescribed by parliament? The years 1782, 1783, and 1784, were those upon which he founded his proposition as regarded the saving of 47,000*l.* a year; but it had been argued, that the seven years ending in 1811 were those which constituted the true criterion upon which the estimate of 1816 had been framed. That position he distinctly denied; and he begged of the House, at least of those hon. members who had had an opportunity of seeing the details, to consider what had been the sums charged for the last seven years, which he might call the expenses of his late majesty. He would beg them to consider, that his late majesty was liable to very heavy demands, by reason of his large family. He would beg them to consider the charges of the board of works, and what had been the cost, not for repairs, but for the improvements of that stupendous pile, Windsor castle: next, for the decoration, furnishing, &c. of apartments in the palaces for the princesses, and of the apartments in Kensington-palace for the princess of Wales. He would beg them to consider the heavy expenses of removing the princesses to and from Windsor, stated at 20,000*l.*; and farther the removals of the royal family to Weymouth; and, putting all these very heavy costs together, were they to be told that the last seven years were the proper criterion upon which the estimate for the expenses of the civil list at the present day were to be framed? Then, with respect to the value of money in 1816, great and general distress was prevailing at that time, but it was denied, repeatedly denied, in that House. The pressure was said to be temporary, and they had been told the same thing in speeches from the throne, and directed not to be alarmed. The chancellor of the exchequer had even indulged himself and the House with promises and anticipations of saving to the country three millions and a half of taxes, because—prices were going to fall. But the right hon. gentleman had made a great mistake. It was very true that that right hon. gentleman did then, as he was very apt to do upon the least rise of the 3 per cents, hold up his head, and talk loudly and cheeringly, which he had continued to do till within the last three or four months.—Under all these circumstances, he still persisted that those years were not a fair criterion of calculation. The right hon. gentleman then proceeded to observe, that without such a committee of inquiry as had been proposed it was impossible to know what saving could or could not be effected in the civil list. The difference between a state of war and a state of peace must have effected a very material change, not only in the principles upon which different estimates had been framed, but also in the savings to be effected. The right hon. gentleman opposite had opposed inquiry; and one ground of his opposition was, that the former estimate had been agreed to without inquiry, and that, therefore, a committee was improper. Now he begged the House to look at these two items of charges—850,000*l.* for England, and 200,000*l.* for Ireland. He should be glad to know who inquired about the Irish estimates? It was by no means clear that the English estimates had been inquired into; but as to the Irish, he believed nobody at all had taken that trouble. Before the arrangement of 1816, there had been an increase on the civil list of 127,000*l.* beyond the sum established by parliament; yet the noble lord talked of reductions made to the extent of 250,000*l.* Was it meant that, because of the former excess of 127,000*l.* they were to vote for the permanent institution of the civil list as it now stood, in order to avoid such an excess for the future? Another item, to which the right hon. gentleman had alluded, was the privy purse; and this he termed a royal fund. The House was well aware, that it was established at 60,000*l.* per annum. An attempt had been made to induce the House to simplify the whole of these matters, by putting this also upon the consolidated fund. This, however, was vehemently objected to, upon the score of its former settlement upon his majesty. The kings of England were accustomed to be considered the fathers of their country. Sums of money were vested in them in the gross, in order to be afterwards distributed by them as the supreme magistrates. These had been since taken away, and not a single farthing of them was left, excepting only this allowance for the privy purse; and what was still more extraordinary, her majesty herself could not find a place upon the civil list. In a bill to provide for the regulation and maintenance of the royal household, her majesty was altogether excluded. The grounds upon which this exclusion had been made, they might some day have an opportunity of discussing; but he must consider it as most extraordinary that her majesty was thus situated. The grounds of such her condition were beyond all human comprehension. She was to be considered, and had been recognized, as queen of England by the lord chancellor, and by one or two other eminent individuals, and, happily for herself, was represented by his hon. and learned friend (Mr. Brougham). It was, indeed, extraordinary that there should be this omission. He must say, that he never expected to be called upon to vote for a bill to provide for the maintenance of the royal family and household, out of which the queen of England herself was to be excluded, after being recognized by the lord high chancellor. He would let this pass; but he could not help observing, that either her majesty was very hardly used, or else his majesty was very hardly used.—The right hon. gentleman here took an opportunity of again impressing upon the House the necessity of going into a committee, and observed, that it behoved ministers, before they called on him to vote a sum of 60,000*l.* per annum for the privy purse, to show how much besides was placed at the disposal of his majesty. It was material, he continued, for the House to know what funds his majesty had of his own; and here he would ask, if any proof were yet wanting of the necessity of inquiry, whether any man who heard him knew—excepting, indeed, it was some one connected with the revenues of the duchies of Lancaster and Cornwall. The former, he believed, to be about 10,000*l.*, the latter 15,000*l.* per annum, or 25,000*l.* a year jointly. This would make the yearly amount of the privy purse 85,000*l.* But then there was the sum of 385,000*l.*, an excess of its income paid out of other funds during the last sixty years, and this sum of 385,000*l.* would average upon the whole reign about 6,000*l.* per annum, to be added to the 85,000*l.*; making therefore, so far as he could calculate it, a total yearly allowance to the privy purse of 91,000*l.* He had given notice of a motion for to-morrow respecting the sum of 385,000*l.* which appeared to have been paid into the privy purse; but as the discussion of this night had very much embraced that subject, he was willing to forego it, provided the committee now moved embraced that question in its investigations. He begged the House to look at the mischief that might arise from empowering ministers, from time to time, to grant out of the casual revenues of the Crown, for the privy purse, such sums as they might think necessary; and it would not be forgotten that the moment those sums were actually in the privy purse, no man living had a right to ask a question about them. This was a point which the House and the country ought to view with the utmost possible jealousy. Of what particulars did this large sum of 385,000*l.* consist? Suppose it were represented by lord Liverpool, or the chancellor of the exchequer, that his majesty wished to add to his property at Brighton a considerable extent of land, and that it was fit that the sum of 20,000*l.* should be paid into the privy purse for that purpose, who, after it was so paid, could be called upon to account for the appropriation of the money? Did the House think it right that such a power of making direct presents to his majesty should exist? He did not mean to charge the present government with any endeavour by a circuitous mode to obtain the money themselves, because such was not the fashion of the times, and he sincerely believed that they were incapable of it; but was clear that they always possessed the means of currying the royal favour and tampering with the royal feelings in this way. Suppose any one of the ministers had given offence to the sovereign, and wished to make it up by a little money paid into the privy purse; according to the present arrangement he could do it, although, of course, he did not suspect that it could have the desired effect. He knew nothing from authority, but it was a common proverb that what every body said must be true to a certain extent; and would any man deny that his late majesty died worth a great deal of property? This property must have been saved out of the civil list; and was the country to be saddled with a heavy civil list, in order to enable the king to make savings? True it was, that his late majesty had a large family to provide for, but no such motive existed in the present case. At this moment, every farthing saved to the nation was of importance; and what pretence was there for granting one single sixpence beyond what was necessary? Then, why not inquire what was necessary? and surely the enormous sum of 385,000*l.* was of itself a sufficient reason for a minute investigation.—I state all this, God knows (continued Mr. Tierney), with a great deal of pain to myself, because I am well aware that it is liable to misconstruction. There are many rumours abroad which may or may not be well-founded, and if I listened to them I should think it a very bad time indeed for any gentleman on this side of the House to do any thing that might possibly wound the feelings of his majesty. What may be the consequences of the part I have taken I neither know nor care; but this I know, that if public confidence be of any value, no man ought to hope for the confidence of the country who does not endeavour to deserve it by fearlessly stating his sentiments in this House. When we are talking of economy and retrenchment, I cannot come down here to take away the salaries of some petty clerks, or to reduce the pensions of a few poor-half-pay officers, and shut my eyes to this proceeding, by which such enormous sums are to be voted to his majesty without inquiry. I know I am doing my duty; and if I am at all acquainted with the character of the king, I am sure that he will rather thank me than blame me for the part that I am taking [Cheers]. What is it we wish on this side of the House? Nothing more than that the Crown should stand well with the country; and, in times like these, can there be any thing more important than that the people should feel a firm assurance that his majesty requires no farther sacrifice from them than is absolutely necessary to support the character and dignity of the throne? An opportunity like the present may never, perhaps, again occur; for there never was a moment so favourable for obtaining popularity on the part of the Crown. I am as confident of this as I am of my existence, that if his majesty had not been surrounded by those who gave him this bad advice, he would have stood in a very different position before his people to that which he now occupies. Every man must be aware that the country looks with great anxiety to the deliberations of the House on this question; not merely because it is agitated at the commencement of a new reign, but because it will take the decision as an earnest of the intentions of ministers for the future. I say, and I say it without the fear of contradiction, that there are large sums, which, if a proper inquiry were set on foot, might be saved to the country. I say, too, that all ranks are bound to make sacrifices; and, by going into this committee, the House will at once set an example that its great object is economy and public relief, without sparing any quarter, whether high or low. Let it do its duty honestly, fairly, and impartially. I have done mine, and I repeat, that I have not done it without great pain to myself. I implore the House to listen to the complaints out of doors, to entertain the proposition; and I entreat honourable gentlemen, before they decide against all inquiry, to consider what they owe to those who sent them here, as well as what they owe to the national tranquillity and the security of the monarchy. The right hon. gentleman sat down amid the cheers of the House, which lasted for some time.

Mr. *Canning* said, that all the points urged in the course of the debate were resolvable into a few plain, simple, propositions. The House was now called upon to do what had been done at the commencement of every former reign; namely, to vote a civil list for the support of the civil government and household of the sovereign. Under such circumstances the first step to be taken was, to examine the precedents of good times—he meant such as were regarded by all men with satisfaction. Going back to the Revolution, it was found that the vote of the civil list from the reign of king William to George 3rd, had been carried in this House in the first instance without minute investigation; and the only inference he wished to draw from this fact was, not that the House was bound to follow implicitly the course of precedents, but that those who proposed a deviation were bound to show the special circumstances that rendered it advisable. If it could be shown that in the course of the last reign there had been no examination into these matters, or that from the lapse of time it was possible that abuses had crept in, it might form some ground for the present proposal. If, on the other hand, it could be proved, that although an investigation, both minute and recent, had taken place, yet that since that date there had been great exceedings on the part of the Crown, a manifest want of economy, or an application for an increase, then some ground would perhaps be laid for a deviation from the ordinary precedent. But when these things had not occurred; when both points made in favour of that course which ministers had thought it their duty to recommend, and which had always been pursued; when minute investigation had been recently made, and when no excess had occurred since the last arrangement when it was clear that there had been no want of economy; and when it was found that that had been effected which was never accomplished before, namely, that the provision for the civil list had been made efficient;—then he thought a *primâ facie* case was made out, that it was not necessary to do any thing new, and that no reasons existed why they should not pursue the accustomed course. The right hon. gentleman had stated most fairly the grounds of his objections to that which his majesty's ministers had proposed. He had dwelt on the situations to which the sovereign had been left with respect to the revenues that were at his uncontrolled disposal. He had said that when a sum was handed over to the privy purse, no one had a right to inquire in what way it was disbursed. This was true, and this he took to be the very nature of the privy purse, and was no favour claimed for the present sovereign, as this had been common ever since the existence of a privy purse had been first recognized by parliament. But the right hon. gentleman had said, "you ought to recollect that his majesty has other funds at his disposal." It was true that he had, and so had the late king. He, in the early part of his reign, had received the revenues of the duchies of Lancaster and Cornwall exactly as the present king did. He admitted that after the majority of the Prince of Wales, the income of one of them went from his majesty, but the income of the other he had enjoyed throughout his reign, and the present king had succeeded him in it. On this head he saw nothing to alarm the constitutional jealousy of the House. But the right hon. gentleman tried to excite (he did not say improperly) a feeling of jealousy on another subject, by speaking of the riches supposed to be left by the late king. He believed that he spoke correctly, when he stated all or nearly all the property left by the late king to have consisted of the sums that had accumulated during his majesty's indisposition. By far the largest part of the wealth which he had left to his successor was the produce of such accumulation. This would not surprise any one who reflected that there was no species of distress in the country that was not carried in petitions to the foot of the throne—he could not say to the foot of the throne, constitutionally speaking, but to the private palace of the sovereign. Known as he was to have great funds at his disposal, and being supposed to possess still greater, that he should be thus beset was not to be wondered at, and it would not excite surprise that there had not been a greater accumulation while he was able to disburse his funds. The character of his late majesty precluded the idea of his making any sordid accumulation of wealth that could at all excite the jealousy of parliament. With respect to the increase of landed property which had been alluded to by the right hon. gentleman, he would take upon himself to say, that it was so insignificant, that nine-tenths of the gentlemen that sat on either side of that House would not consider such an addition to their estates an object of material importance. With respect to the objections of the right hon. gentleman to the civil list, his arguments would apply as well to the smallest item in it as to the largest. He, however, believed that there was little cause for complaint, and that whatever might be the vices of the present age—whatever the plots formed against public men—there never was a period when public characters were so free from taint and imputation of a pecuniary kind. The right hon. gentleman proposed to go into a new inquiry on the subject of the civil list, and to sift over again what had been so recently sifted. But his purpose would not be answered if they did not go into an investigation of the privy purse; nor then as it should seem, unless guards such as had never been provided before, were supplied to prevent the misapplication of its funds. Though the right hon. gentleman might think the beginning of a new reign a fit period for entering upon such a subject, the House would bear in mind that such an inquiry could be instituted at any future period, and that such an inquiry was not usual at the beginning of a reign. In the time of the late king, it was not till the year 1782 that Mr. Burke brought forward his motion for the first inquiry into the arrangements of the civil list. Then it was that the whole system was altered; that parts of it were placed under responsibility which were never so placed before, and that that fabric of order was raised which at present existed, and which, though not perfect, greatly surpassed what had previously been known. This, it should be remembered, had been done, not while the reign was new, but when it was twenty years old. When the right hon. gentleman could produce any facts that went to prove inquiry desirable, when a want of economy should appear, or when the Crown should confess that the provision which had been made was not sufficient, then would be the time for entering into that investigation which had been unnecessarily called for on the present occasion. He admitted the real wealth of the Crown was not that which was obtained at the expense of public discontent. But the question now was, did any thing appear in the course that had been taken to provoke discontent? He did not believe that any thing of the kind could be discovered, and he believed that by confining the new civil list within the bounds previously fixed, they would do their sovereign right, and do justice to the country. He knew not on what principle any advice but that which had been offered could have been given. He knew there was a difference between a regent and a king—between a vicarious and an actual governor. There were some burthens which did not fall on a regent, which must be borne by a king. Supposing the country to have been in a prosperous state, these might have justified a call for an increase, but, adopting the policy acted upon four years ago, he thought they had taken the safe course, and had marked a proper feeling for the distresses of the people, which had however been brought to bear against them. The right hon. gentleman said,—"It is true there has been no excess on the civil list, but then it may be proper to inquire if the provision made for it is not too large." This appeared to him an ungracious and hazardous mode of proceeding—ungracious to turn round upon the economy of the Crown, and say, "As there is no excess, the provision made must be greater than was necessary;" and hazardous as it went to impress upon the sovereign the expediency of concealing the fact that he was abundantly provided for, and to invite to that excess which it was most important to avoid. This conduct on the part of the right hon. gentleman reminded him of that of one of the kings of France, who gave his two sons a purse of gold each. One of them, after a time, returned his purse empty, the other gave his back full.

The king upon this tied up the full purse and threw it into the street, at the same time saying to the son from whom he had received it, since you had not spirit to spend it, nor generosity to give it away, I will put it in the way of somebody else. The right hon. gentleman would visit economy with severity, when he was disposed to say, "If what you have is enough, it may be more than enough, and I must see if I cannot reclaim part of it." He believed it to be the sincere desire of his majesty, and of his advisers, to avoid any new exceeding, and to confine the civil list expenditure within the limits fixed by parliament; and doing this they considered that they were doing that which could excite no jealousy on the part of the House, which could create no discontent in the minds of the people. The effect of the vote that night would be the adoption of the provision made in 1816 for the regent as a suitable provision for the Crown, and the Crown therefore would retain but that splendor which was before thought necessary for the regency. The mention made by the right hon. gentleman of the 385,000*l.* handed over to the privy purse in the late reign, gave him an opportunity of stating, that from that sum 110,000*l.* had been paid in discharge of certain debts, and thus the annual 50,000*l.* set apart for that purpose had been set at liberty two years sooner than would otherwise have been the case. The sum which remained would give on the average of the whole reign an increase of income of somewhat more than 4,000*l.* per annum. Upon the whole, he could see no grounds for the proposed inquiry. He could wish this, the first parliamentary measure of the new reign, to be carried with unanimity; but whatever the result might be, he must say that ministers, in asking for nothing but what had been deliberately sanctioned by parliament four years ago, had approached that point at which it was hoped the House would be unanimous, and the country satisfied.

Mr. *Tierney* denied that he had wished to examine into the mode in which the privy purse was expended. As he did not intend to trouble the House with his motion to-morrow, he might be allowed to add, though not within the strict limits of explanation, that, from the statement of the right hon. gentleman, it appeared that the 110,000*l.* had been paid into the privy purse, and very likely most properly applied in diminution of debts. It, however, still formed a part of the 385,000*l.* of which he had already spoken.

The question being put, that the word "now" stand part of the question, the House divided: Ayes, 256; Noes, 157.

List of the Minority.

Abercromby, hon. J.
Allen, J. H.
Althorp, visc.
Anson, hon. G.
Anson, sir G.
Aubrey, sir J.
Boughey, sir John
Bentinck, lord W.
Benett, John
Butterworth, Jos.
Barham, J. F. jun.
Baring, sir Thos.
Barnard, visc.
Barrett, S. M.
Beaumont, T. P.
Bennet, hon. H. G.
Benyon, Ben.
Bernal, Ralph
Birch, Jos.
Brougham, H.
Burdett, sir F.
Bury, visc.
Byng, George
Bright, H.
Crawley, Sam.
Calvert, Nic.
Calcraft, John
Calcraft, John, jun.
Calvert, C.
Campbell, hon. J.
Chamberlayne, W.
Carter, John
Cavendish, lord G.
Cavendish, Henry
Clifford, capt.
Clifton, visc.
Coke, T. W.
Colborne, N. R.
Concannon, L.
Coussmaker, G.
Crompton, Sam.
De Crespigny, sir W.
Davies, T. H.
Denison, Wm.
Denman, Thos.
Duncannon, visc.
Dundas, Thos.
Dundas, C.
Evans, Wm.
Ellice, Edw.
Finlay, K.
Farrand, R.
Fergusson, sir R.
Fitzgerald, lord W.
Folkestone, visc.
Frankland, R.
Gaskell, B.
Gordon, Robert
Graham, S.
Graham, J. R. G.
Grenfell, Pascoe
Griffiths, J. W.
Guise, sir W.
Gurney, R.
Heygate, alderman
Haldimand, W.
Hamilton, lord A.
Harbord, hon. E.
Harvey, D. W.
Heathcote, G.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Howard, hon. W.
Hughes, W. L.
Hughes, col.
Hurst, R.
Jervoise, G. P.
Kennedy, T. F.
Lethbridge, sir T. B.
Langstone, T. H.
Lamb, hon. W.
Lambton, J. G.
Lemon, sir W.
Lloyd, J. M.
Lushington, S.
Maberly, John
Maberly, W. L.
Marryat, Jos.
Macdonald, J.
Mackintosh, sir J.
Martin, John
Milbank, Mark
Mildmay, P. St. J.
Milton, visc.
Monck, J. B.
Moore, Peter
Moore, A
Mostyn, sir T.
Newman, R. W.
Newport, sir J.
Nugent, lord
Ord, W.
Osborne, lord F.
Ossulston, visc.
Palmer, col.
Palmer, C. F.
Pares, Thos.
Parnell, sir H.
Parnell, W.
Pelham, hon. C. A.
Philips, George
Philips, G. jun.
Ponsonby, hon. F. C.
Power, R.
Powlett, hon. W.

Pym, Francis
Rickford, Wm.
Ricardo, David
Ridley, sir M. W.
Robarts, Abr.
Robarts, George
Robinson, sir G.
Rowley, sir W.
Rumbold, C.
Russell, lord G. W.
Russell, R. G.
Sebright, sir John
Smith, George
Smith, Samuel
Smith, Wm.
Smith, John
Smith, Robert
Scarlett, James
Scudamore, R.
Sefton, earl of
Stuart, lord J.
Sykes, D.
Spurrier, C.
Townshend, lord C.
Tavistock, marquis
Taylor, M. A.
Taylor, C.
Tierney, rt. hon. G.
Webbe, E.
Western, C.
Whitbread, W. H.
Whitbread, S. C.
Wilkins, Walter
Williams, sir R.
Williams, T. P.
Williams, W.
Wilson, sir Robert
Wood, alderman
Wyvill, M.

TELLERS.

Russell, lord John
Warre, J. Ashley.

The Resolutions were then read a second time, and agreed to.

HOUSE OF COMMONS.

Tuesday, May 9.

MOTION FOR A SELECT COMMITTEE ON THE CRIMINAL LAWS.] Sir *James Mackintosh* rose, pursuant to notice, to submit certain propositions to the House touching the present state of the criminal law, founded on the report of the committee which had been appointed last session, to take into consideration so much of the criminal code as related to the infliction of capital punishment. The propositions which he should have the honor to propose, embraced two objects; the first was the appointment of a committee for a similar purpose as that which sat during the last session; and, in the second place, he should move for leave to bring in six bills for the amendment of the criminal law, agreeably to the recommendation contained in the report of the late committee. As he understood there existed no intention in that quarter where he should much regret hostility, to oppose the propositions which he should have the honor to submit, he certainly should not trespass long on the attention of the House, did he not think it respectful towards those new members, who had not heard the former arguments, very shortly to review the nature of the grounds on which this subject was introduced. The object for which the committee was appointed by the last House of Commons, was, to ascertain, by the fullest inquiry and by the best experience, whether the severity of capital punishments did not counteract the very purpose for which they were denounced by the law—whether their effect was not to create such an indisposition in prosecutors, witnesses, judges and juries, to risk their enforcement to such an extent, as in many instances to secure the impunity of persons guilty of very great offences. That was the object to which the late committee applied their diligent attention during the last session of the late parliament. The old, obvious, and common argument in support of the revision of the capital denunciations, was founded on the feelings of common humanity, and on that tender regard to life, which it was at all times so desirable to inculcate; and which it became the special duty of the lawgiver to teach by his commandments, and encourage by his example. Many answers have been made in objection to the extent of the general principle, while some other answers have been directed to the peculiarity of the law, and its practice in this country, which left the question in a great state of vagueness and uncertainty. There have been at all times persons of that vigorous understanding, and, perhaps, of that stern character, who were willing to purchase the efficacy of the law, in the suppression of offences, at the expence of the general principle. There were peculiarities in the denunciations of the law, and the manner in which denunciations were carried into effect in this country, that not a little perplexed the subject. In this country the punishment of death was denounced against many offences, but practised against few. Such a peculiarity gave a turn to the question, which, even on the principles of humanity, produced a state of things materially different from what existed in countries where the practice of the law corresponded with the severity of the denunciation. Such a peculiarity here was not to be supposed the effect of any foresight, refined wisdom, or provident arrangement for such an effect. It arose from no such causes, but was the result of that contest between the disposition of the legislature and the growing humanity and more enlightened feeling of the national character during the last century. It generally happened that innovators and reformers were charged with a love of singularity and paradox, and he believed it was generally true; but there were various instances where the love of paradox could be found at the side of establishment. Indeed it so happened, that one of the eminent men who had directed his attention to the consideration of our criminal code, he meant the late Dr. Paley, had endeavoured to justify this deviation in the practice and the denunciations of the law, by allowing his vigorous understanding to have recourse to the ingenuity of a paradox, in the support of such an opinion. When men of his character adopted such a course of proceeding, it might, perhaps, be traced to those motives which a love of honour and distinction inspired. So soon as they perceived, either from the diffusion of knowledge or the success of previous discussion, that neither honour or distinction was to be acquired by defending the new opinions, they immediately changed their course, and exerted themselves in espousing the cause of received opinions. The natural passion in the support of improvement on subjects freely and fully discussed, would not distinguish them from their enlightened contemporaries; they ran, therefore, to the opposite side, and became the advocates of antiquated abuses. It was impossible, on other grounds, to account for that love of singularity which was sometimes exemplified by vigorous men. It was the love of distinction, and not of paradox, which impelled them; for the latter was rather the infirmity of secondary talent. It was thus he might be allowed of a great ornament of that House to say, that the strange anomalies in the opinions of the late Mr. Windham were explained. He disdained a communion of opinion on subjects on which all the great men of his time concurred, and undertook, in the spirit of his character, a chivalrous defence of that, which all men but himself had abandoned. The doctrine of Dr. Paley was taking effect when the question was taken up by sir Samuel Romilly, who was so well known and respected, that it would be impossible to raise his fame. He knew it was as impossible for him or any man to raise his fame by commendation, as it was to lower it by censure. It was in that House needless, and would in him be presumptuous. Needless, because that House was best acquainted with his great powers and his greater virtues. What his feelings dictated, and his studies and conviction confirmed, he had brought into parliaments and councils. Though, perhaps, of all men, he retained a most susceptible, and he might say, shrinking humanity, for the sufferings of mankind up to a very advanced period of life, so that it might be considered a part of his temperament; yet during the whole of his labours for the amelioration of the criminal law, he silenced those feelings, and compelled them to remain subservient to a more calm consideration of the great interests involved in the inquiry. What was best calculated to suppress crime and secure the general welfare, was the object that he desired. The undue severity of the punishment had, he was convinced, robbed the law of all its efficacy. There was always in the mind of man a lurking suspicion of the real merits of any plan which, however admirable in theory, had not been submitted to the test of experiment. However injurious such a suspicion might be when carried to excess, it nevertheless comprehended within itself a powerful security against that wild innovation, that precipitate change, which had ever been found fatal to the best interests of society. He by no means therefore complained of this feeling on the present subject. Puerile indeed would such a complaint be—for it was a feeling inseparable from human nature. It was this view of it which struck him in a speech made many years ago by Mr. Fox, and which speech, by a breach of the privileges of that House, he (sir J. Mackintosh) was so fortunate as to hear. In treating of appellate jurisdiction—of the reference of a case from one court to another—that great man attributed the necessity of such an institution to what he called "a philosophical principle—the first principle of human wisdom—a consciousness of infirmity." It was that consciousness of infirmity, which justified all mistrust of general reasoning until an opportunity was offered for comparing it with particular experiment. The object of the appointment of the committee on the criminal law in the last parliament, was, to put the general reasoning upon that subject to that test. In order to enable themselves to do so, the committee called before them men of all classes and descriptions—prosecutors, witnesses, jurors, and even all judges who could be subjected to such an examination without impropriety. The opinion of the great majority—nay he might say, the unanimous opinion of those persons was, as must always be the case where a theory was founded on just and extensive observation, in favour of that theory which declared the inefficacy of severe punishments. After this, therefore, no man would be at liberty to oppose the test of practical experience to the general reasoning on the subject. Those whose general reasoning had been carried to the greatest extent, were fully justified by the experience and testimony of men who had ample opportunities of obtaining experience, and whose testimony was therefore of the utmost value. The result of the committee which sat in the last session but one of the last parliament, was a recommendation to the House—or rather an instruction to their chairman, to propose to the House, in the next session, several measures calculated to carry their opinions into effect. The last session, consequent on the accession of his present majesty to the throne, was too short to afford leisure for any such propositions. He had therefore deferred any attempt to make them until the present period. The first proposition which he should submit to the House was the re-appointment (if he might be allowed to use a term certainly not altogether correct) of the committee of the late House of Commons on the subject. That committee would have various objects in view; and, among others, to take means for obtaining an experimental answer to the only objection which the late committee had heard against the evidence referred to in their report. It was said, by the objectors, that the evidence taken before the committee was confined to the capital,—that in the country there was no indisposition to prosecute, and therefore that, as respected the country, the alleged extreme severity of punishment did not operate injuriously. Now, to this he replied—first, that this very circumstance was the strongest corroboration of the principle on which the report of the committee was founded. To state that the indisposition to prosecute was greatest in the capital, where the application of severe punishments was the most frequent, where executions were more numerous, than in all the other parts of the kingdom together, than in any little district where this crying grievance was witnessed perhaps only once in two or three years, was only to show that those who were most familiar with the evil were most solicitous to get rid of it. According to all reasoning on the subject, such should be the fact. The capital should be the place whence the general feeling as to the expediency of the frequent punishment of death ought to be deduced. But although the members of the late committee, and certainly himself among the number, were quite satisfied with this argumentative answer, they were, desirous of furnishing an answer from experience. They desired to examine witnesses as to the effect which the severity of punishment had on prosecutors in the provinces. They were desirous also of devoting some time to the consideration of two or three other subjects which appeared to him to be of importance, the mode of pronouncing sentence of death, and one or two other matters.—According to the instructions which he had received, he would move the House for leave to bring in six bills. The three first were for the repeal of so much of the act of the 12th of Anne, chap. 7, as made it a capital offence to steal privately in any dwelling-house to the value of forty shillings; for the repeal of so much of the acts of the 10th and 11th of William 3rd, and chap. 23 as made it a capital offence to steal privately in any shop or warehouse to the value of five shillings; and for the repeal of so much of the act of the 24th George 2nd, chap. 29, as made it a capital offence to steal privately on a navigable river, or in a port of entry and discharge, to the value of forty shillings. He knew that some gentlemen were in favour of two of these bills, and not of the third. They certainly rested on different foundations. The two first had been twice adopted by the House of Commons (though they had not been so fortunate in the House of Lords), and possessed therefore a stronger claim to present favour. With respect to the third, that for taking away the capital punishment from the offence of stealing on navigable rivers, he could not help observing that the legislature had evinced great caprice on the subject. This act was passed in 1751. In a few years afterwards the duke of Bridgwater commenced that magnificent system of internal navigation, which had eventually added more to the greatness and opulence of the British empire than, perhaps, any other enterprise of human ingenuity and perseverance. Canals, from their very nature, were more liable to the attempts of depredators than navigable rivers, and yet to robberies on canals the legislature never thought fit to extend the penalty of death, which they persevered in attaching to the same offences when committed on navigable rivers. He would proceed to state shortly the nature of the three other bills for which, in compliance with the directions of the late committee, it would be his duty to move. The first bill was for the purpose of repealing certain acts of parliament, creating capital offences which the committee thought ought to be repealed, either on the ground that the offences so created were morally no offences, or that they should be considered merely as misdemeanors. Among those acts were the 1st and 2nd of Philip and Mary, making it capitally criminal for an Egyptian to remain one year in the country; the 18th of Charles 2nd, chap. 3, making the residence of notorious thieves in Northumberland and Cumberland a capital offence; the 9th George 1st, chap. 29, making it a capital felony to be found disguised in the Mint; the 12th of George 2nd, chap. 29, making it a capital felony to injure Westminster Bridge. With reference to this last act, he did not mean to say that substantially to injure a public bridge ought not to be classed with very heinous offences; but then it was an offence so unlikely to occur, that the necessity for such an act as that of the 12th of George 2nd, appeared to be altogether removed. The fifth bill for which he should move was, to repeal those parts of certain acts which made the offences specified in them capital felonies, in order to leave those offences simple felonies. Many of those offences were of a very serious nature. By the 31st of Elizabeth, chap. 9, it was made a capital felony to take away any maid, wife, or widow of property, for the sake of her fortune. If the abduction of women were to be made a capital felony, it should be so made with reference to women generally, rich or poor—heiress or pauper; but the offence was so wholly foreign to our manners, so impracticable—except indeed in some parts of the British dominions, where an exuberance of gallantry sometimes prompted to such achievements—so contrary to our grave and sober character, that it might well be left to the punishment which awaited simple felony. Under the 4th of George 1st, making the receiving of stolen goods a capital offence, only one conviction, that of the celebrated Jonathan Wild, had taken place; a sufficient proof of the expediency of modifying it. By the 9th of George 1st, the wounding of cattle and the destroying of trees were made capital felonies. Then came the statutes respecting bankrupts; and certainly, of all the cases to which the general principle on which the committee proceeded was applicable, that was one which most loudly called for a change of punishment. The Marriage act also, besides the other benefits that it had conferred on society, had created five capital felonies, which it appeared to the committee expedient to modify. Then there were the 6th of George 2nd, making it a capital felony to break down the banks of rivers; the 27th of George 3rd, making it capital felony to send threatening letters, &c. For all these offences the committee proposed, instead of the punishment of death, to substitute transportation, imprisonment, or hard labour, at the discretion of the Court. The only remaining bill, the nature of which he had to describe, was a bill to consolidate and amend the various acts respecting forgery. It was proposed to take away the capital punishment for the offence of being found in possession of forged notes, and, with the exception of forgeries on the Bank of England, for the offence of forgery, on the first conviction; making it a capital offence on the second conviction, but leaving to the prosecutor the option of prosecuting as for a second offence or not; and it was proposed to make all the other offences connected with forgery transportable. To this bill, and to the bill for abolishing capital punishment for the offence of privately stealing in dwelling houses, he certainly expected some opposition. And yet, after the most attentive consideration that he had been able to give to the subject, he was thoroughly convinced, that of all the cases in our criminal law, to which the general principle of a mitigation of punishment was applicable, these were the most striking. If an instance could be selected in which the severity of the punishment prescribed by the law was especially calculated to deter prosecutors from proceeding against offenders, it would be where those offenders lived in their families, and were in constant intercourse with them. The communication of masters with their servants, of bankers and merchants with their confidential clerks, would, where the common feelings of human nature existed, indispose superiors from prosecuting persons with whom they were in habits of daily conversation and intimacy. Accordingly, the House would find, in the appendix of the report of the committee, a number of cases of this description, and particularly of the offence of forgery, in which the prosecutors had been deterred from prosecuting, and the criminals had escaped from all punishment, in consequence of the severity of the law. It was not, therefore, to the humanity of the legislature that the committee appealed on this subject, but to their policy and good sense—not to their feelings, but to their sound and deliberate judgment. The hon. and learned gentleman concluded by moving, "That a Select Committee be appointed to consider of so much of the Criminal Laws as relates to capital punishment in Felonies; and to Report their observations and opinion of the same from time to time to the House."

Mr. *Canning*, after complimenting his hon. and learned friend on the manner in which he had again brought forward this important subject, proceeded to say, that although he certainly should not object to the present motion, it must not be considered that any man, by acceding to it, was pledged to entertain any further proceeding. He should be happy to see the purposes for which his hon. and learned friend wished the appointment of the committee fully developed; and he could assure him, that no objection would be made on his part to any ulterior proposition, for objection's sake; or unless there should appear to be some solid and substantial ground for doubting its expediency.

The motion was then agreed to, a committee appointed, and the report of the committee of 1819 referred to their consideration. Sir J. Mackintosh then obtained leave to bring in the three bills, which he had described in his speech, for the repeal of so much of the acts of the 12th of Anne, the 10th and 11th of William 3rd and the 24th of George 2nd, as took away the benefit of clergy from persons convicted of stealing privately to the value of forty shillings in a dwelling house; stealing privately to the value of five shillings in a shop or warehouse; and stealing privately to the value of forty shillings on a navigable river, or in a port of entry and discharge. He next moved for leave to bring in a bill to repeal certain acts of parliament creating capital felonies specified therein.

Mr. *Bennet*, after bestowing a high eulogium on the unremitting exertions of his hon. and learned friend to amend the criminal code, and expressing a fervent hope that his humane perseverance would be crowned with success, begged to call his hon. and learned friend's attention as well as that of the House to a very painful circumstance of recent occurrence. His late learned and excellent friend, sir S. Romilly, had succeeded in inducing the legislature to consent to a bill, by which the shocking punishment of embowelling and quartering persons convicted of treason, while yet alive, was abolished. The power of mutilating the bodies of such persons after death, still, however, remained in the hands of the executive authority. Was it his hon. and learned friend's intention to submit to the House any proposition on this subject? He was urged to put this question, from the feeling which had been lately excited by a dreadful exhibition of the nature he alluded to. It was the custom of many persons to attend inflictions of capital punishment, some influenced by curiosity, others by more laudable motives; and he would take upon himself to say, that there never was a feeling of greater horror excited than by the proceedings subsequent to the recent execution. He felt the strongest objection to every thing that weakened the moral taste or sensibility of the people; and, he believed, there never was a public occurrence, the circumstance attendant on which left so painful an impression on the minds of all who beheld it, as that which he had described. He could not illustrate the truth of this assertion more strongly, than by observing, that such were the feelings of the public, that it was necessary for the person who performed the horrid operation to be masked—a circumstance, which, he believed, was unprecedented since the decollation of the unfortunate Charles 1st. And to what did this shocking exhibition tend? Only to wound the survivors—the wives, the children, the families of the sufferers. He felt the injurious consequences of such proceedings so strongly, that he should not discharge his duty if he did not entreat his hon. and learned friend to give the House one more opportunity of wiping away such a stain on our legislation, by taking from the Crown the power of mutilating the bodies of the dead.

Sir *J. Mackintosh* would merely address a few words to that part of his hon. friend's speech which was directed towards himself personally. When his lamented friend sir S. Romilly brought in his bill for the abolition of the horrible circumstances attendant on punishment for treason, he (sir J. M.) was certainly anxious for their complete abolition. That however, his excellent friend, notwithstanding all his exertions, had been unable to effect. His opinion remained the same now as it was on that occasion; and he trusted that at some future period an exhibition would be abolished, the only tendency of which was, to show the rancour of the survivors. If, however, he should ever bring forward the subject, he should wish to do so when it might be wholly unmixed with allusions to any temporary occurrence, and when it might therefore be discussed with that calmness and deliberation which all serious and important questions demanded. No one could be more sensible than himself of his hon. friend's unwearied benevolence, and of the noble manner in which he devoted his whole life to the cause of humanity. For his hon. friend's opinions he always entertained the greatest respect, knowing as he did, that his intentions were invariably pure and excellent. But his hon. friend would excuse him from touching at present on the subject which he had done him the honour to recommend to his notice, lest a political feeling should be introduced into the consideration of a subject which it was most desirable should be preserved wholly free from any taint of that nature. Sir James then withdrew his last motion, on the ground that he had discovered that the terms were not sufficiently comprehensive, and obtained leave to bring in a bill to consolidate and amend the laws in being relative to forgery. The three bills for which sir James had obtained leave, were brought in and read a first time.

Grampound Disfranchisement Bill.] Lord *John Russell* rose for the purpose of submitting to the House the motion of which he had given notice, for leave to bring in a bill to exclude the borough of Grampound from sending members to parliament, and to enable the borough of Leeds to assume that privilege. In doing so, he would shortly trouble the House with his views on the subject. He had in the course of last session stated his own opinion of the propriety of disfranchising the borough of Grampound, or any other borough similarly situated, and of extending the franchise thus forfeited to large towns or populous districts When he stated this opinion, it was, he believed, generally admitted, that there might be cases in which that principle might be safely adopted. Whether the borough of Grampound did or did not deserve the punishment which he proposed to inflict on it—and whether or not it would be proper to extend the right of electing members to the borough of Leeds to the West Riding of Yorkshire, or to any other particular place—were questions which he would not now enter into, as they might be discussed with greater advantage in a future stage of the bill. He would at present merely state the purport of the measure. It disabled Grampound from sending members to parliament, and enabled those voters in that borough who had not been convicted of corruption to vote for members as if they were freeholders of the county. Another part of the bill was, that it empowered the election, by the borough of Leeds, of two members, at the conclusion of the present parliament, or, in case any vacancy occurred in the borough of Grampound, before that period. The right of suffrage which he proposed for the borough of Leeds would extend to persons renting houses of the value of 5*l.* per annum. The borough of Leeds, it must be observed, comprehended a much larger space than the town of Leeds. It was thirty miles in circumference—comprised eight or ten villages besides the town—and contained about seventy thousand inhabitants. Supposing the right of suffrage to be granted to those who rented houses of the annual value of 5*l.*, the number of voters would be about eight thousand. Some individuals were of opinion that the right should not be granted to those who did not rent houses of the value of 10*l.* a year, which would reduce the voters to the number of 5,500; but, on consideration, he conceived that it was better to extend the privilege of suffrage to the smaller sum. His great object was, to have the principle of transferring the elective franchise from convicted boroughs acknowledged and established by parliament. If that principle were established, it would be entirely indifferent to him whether the franchise was extended at all to Leeds; or, if granted to that borough, whether it was given in the particular manner which he proposed; or whether it was extended to the West Riding of Yorkshire, or any other populous place. All he desired was to secure the principle, and, in all he did, his view was to give effect to that principle in the way which appeared to his mind to be the best. If the mode which he proposed did not seem to the House to be the best, and if any other course more efficient were pointed out, it would give equal pleasure to him, provided the principle were established. The noble lord concluded by moving "for leave to bring in a bill to exclude the borough of Grampound from sending burgesses to serve in parliament, and to enable the borough of Leeds to send two burgesses to serve in parliament in lieu thereof."

Mr. *Canning* said, that as it had been distinctly understood in the last session of the last parliament, that the noble lord who now introduced this measure should not be in the smallest degree prejudiced in again bringing forward the subject, so far as this proceeding might have been prejudiced by the dissolution of the last, and the formation of a new parliament, that circumstance would be amply sufficient to justify any individual who might wish to oppose the introduction of this bill in abstaining from pursuing that course. He, however, felt no such inclination. He was perfectly disposed, on his own part, and on the part of those with whom he acted, to see the noble lord's bill brought before the House for discussion. And so far as the acknowledgment of the principle, that a borough convicted of gross bribery and corruption, such as in former times would produce an order for disfranchisement, went, he was ready to say that to such disfranchisement, in such a proved case, he had no objection. So far would he go. But he was sure it was not necessary to appeal to the noble lord's candour for the preservation of any ulterior opinion as to the mode in which the franchise, so taken away, should be disposed of; because he was convinced the noble lord would recollect that, in the last session of parliament, the introduction of the town of Leeds rested solely on his own will and opinion, without any previous concert or understanding, expressed or implied, with any other persons, as to the propriety of selecting that particular place. No person, he believed, but the noble mover himself, was cognizant of the place to which he wished to transfer the franchise. When the bill came regularly before the House for discussion, he should be prepared to enter into all the considerations that belonged to it. He was at present only desirous that the consent which, individually, and for others, he gave to the introduction of the bill, should not be considered as pledging any gentleman's opinion beyond the first step, that of introducing the measure—or as pledging any opinion with respect to the principle of the bill, farther than it applied to this specific case. He made this reservation at the present moment, lest his sentiments might be misunderstood; for, if there were any point which the noble lord had stated, on which he had decided differently from the noble lord, and to which no circumstances could make him agree, it was this—that the measure itself was comparatively indifferent, but that the establishment of the principle was every thing. He would look only to this specific measure; and, as far as possible, he would avoid, and he hoped the House would pursue the same course, legislating on the general principle. He would say nothing more, because this was not the time to provoke this discussion: and less he could not have said without being liable to the imputation of not having clearly explained himself. Perhaps the noble lord would allow him to ask, merely for information, whether it was intended that the borough proposed to be disfranchised should be heard in its defence?

Lord *J. Russell* said, it was not his intention to call for any further proceeding. The inquiry last year rendered it unnecessary.

Lord *A. Hamilton* observed, that, if it were determined to take away the elective franchise from Grampound, he could suggest places in that part of the country with which he was more intimately connected to which it might be extended with advantage.

Lord *J. Russell* wished to observe, that it was necessary to introduce in the bill then before the House the name of some place to which the elective franchise was to be transferred. He had no objection to granting the franchise to any other borough. The right hon. gentleman must know, that when bills were brought in respecting other boroughs in which bribery and corruption had prevailed, the title of those bills was "a bill for preventing bribery and corruption in such a borough." It was quite impossible to give such a title to the bill, which did not go to prevent bribery and corruption for the future in Grampound, but to deprive it entirely of its franchises. With respect to the admission that was made in the last session of parliament, he would offer a single remark. The way he understood it was,—though, perhaps, he ought not to state his view in the absence of the noble lord (Castlereagh) who spoke on the occasion that the noble lord, without deciding any thing on the case of the borough of Grampound, expressed his opinion, that many cases might arise in which it would be extremely inconvenient to proceed on the principle of granting the franchise of the convicted borough to the hundred, and that it would be necessary to find some other constitutional body in which that great trust could be safely placed. Suppose one borough were thrown into the hundred, and another borough were afterwards placed in the same situation, it was obvious that it would create considerable inconvenience. This was the way in which the noble lord viewed the question; and the admission was, that cases might arise where it would be necessary for the House to exert its power. The course which administration might think proper to pursue was now the great point to be considered; and he did hope, for their own sakes, as well as for the sake of the country, that they would lend every assistance to the object which this bill embraced. It had given him great satisfaction to find, that in almost every quarter of the country, the proposition had been received with joy, and with gratitude towards the administration for the part they had taken. This must prove to them at how very low and cheap a price the affections of the people might be gained.

Mr. *D. Gilbert* perfectly agreed in the observation, that it would be very inexpedient, where several boroughs were disfranchised, to extend the rights thus forfeited to any one place.

Lord *Milton* observed, that it would be extremely inconvenient, supposing a number of boroughs to be disfranchised, to give the right of voting to those who, as freeholders, had now a right of voting for county members. Supposing, for instance, five Cornish boroughs to fall under the lash of the House—a circumstance by no means impossible—those to whom the franchise was transferred would then have to vote for twelve members—two for the county, and ten for other places.

Leave was then given to bring in the bill, which lord John Russell forthwith brought up. It was read the first time.

THE QUEEN.] Lord *A. Hamilton* rose to ask a question relative to the provision which ought to be made for the support of her majesty. On a former occasion he had stated his intention of making some observations on this subject. He now wished to know whether it was intended to propose any specific provision for her majesty; and, if so, when that provision would be proposed. He was surprised that no notice had been taken of that illustrious personage, by his majesty's ministers, in the progress of the resolutions respecting the civil list.

The *Chancellor of the Exchequer* said, the only answer he could give the noble lord was, that, undoubtedly it would become necessary to propose to parliament to make a provision for the queen, as well as for several other branches of the royal family. The subject would soon be brought under the consideration of parliament.

MOTION RESPECTING THE CRIMINAL CONDUCT AND PROCEEDINGS OF GEORGE EDWARDS.] Mr. Alderman *Wood*, in rising to bring forward his motion relative to Edwards, who was said to be connected with the Cato-street conspiracy, begged to assure the House that he had no other end or object in view than that of public justice. Before he gave notice of this motion, he had done every thing in his power, by application to the secretary of state for the home department, to have this individual brought to trial. The information which he possessed came to his knowledge in his magisterial capacity. He laid the documents before lord Sidmouth, and offered to bring forward, for examination at his office, the different witnesses upon whose testimony they were made out. His representations not having been acted upon, he felt it his duty to bring the subject before parliament. He had looked over the depositions of more than thirty persons, and those documents which he held in his hand he should feel it necessary to read at length to the House, unless his motion for a committee was granted [a laugh]. He assured the House that he had not the slightest wish to occupy their attention more than was absolutely necessary. If the House would allow the appointment of a select committee, he would undertake to satisfy them of the facts which he had to allege against this man, Edwards. This was a question of a grave and serious nature, and called for their most patient investigation. Before he entered upon it, however, he thought it necessary to state what the nature of the motion was. He intended to move for a select committee to examine evidence of the criminal conduct of George Edwards and his associates during the last two years; and also their connexion with the late Cato-street conspiracy. If he could show that this man was not only connected with, but the instigator of that conspiracy—if he could show that he had for the last two years been agitating it; that he had himself purchased the arms and other offensive weapons; that he had made the tin cases to contain the powder, &c., he thought it would be impossible that the House should refuse a committee of inquiry. He had no hesitation in saying that he could prove all this, not by the testimony of suspicious characters, but by that of men of probity—men who had worked in the same employment for four, five, and some of them six years. He had inquired into their characters, and had found from their employers that they were unexceptionable. The hon. alderman said he would read from different documents extracts of what several persons had deposed before him, and which they stated themselves ready to prove upon oath.—First, he begged to say that he had traced Edwards for the last five years. He would, however, confine his present statement to the last two. He had first found him to be at Windsor, where he was occasionally employed selling plaster busts. All at once, he became to all appearance rich, and he gave out that lord Castlereagh had assisted in recovering a legacy for him. He next found him in connexion with a police-officer, and this he conceived to be an important circumstance in the case. This officer had been in connexion with Castles; they had been engaged, the one in getting French prisoners to desert, and the other in detecting them. He had traced this traitor, he could not call him a man, through all his proceedings. He had found, that before the Cato-street business, he had taken Thistlewood to Harrison's lodgings, and after the failure of that conspiracy, he had traced him to his lodgings. He did not, however, at once betray him; he waited until The Gazette came out, offering a reward of 1,000*l.* for his apprehension. Then it was that Thistlewood's retreat was found out, and he could prove that Edwards was seen near the spot at the time of his arrest. He could show that Edwards, after seeing Thistlewood to his lodgings, called upon his wife and told her he was safe, though within the next half hour he was to betray him to the officers of justice. He could also show, that this Edwards had for six weeks resided in the house of a Mr. Fowler at Pimlico, under the name of Ward, until it being discovered that he was a spy, he was obliged to leave it. The hon. alderman said he would, before he proceeded further, read to the House the opinion of the lord advocate of Scotland, on the trial of the notorious Watt, the spy, who was tried for high treason, and hanged at Edinburgh. In doing this he did not wish to prejudice the case of Edwards; he did not wish his life should be taken. He thought it sufficient that he should be sent out of the country, in order to prevent him from following his trade of seducing the minds of poor deluded wretches into schemes of treason and rebellion. The hon. alderman then read an extract from the speech of the lord advocate, which pointed out the criminality of a person engaged as a spy, going about deluding poor wretches into schemes of treason to his advantage, but to their utter ruin. It was not to be borne that men should thus go about sacrificing the lives of others to their base and sordid appetites. This was the opinion of the lord advocate of Scotland. Now, there was evidence to show, that letters had passed between this man and Mr. Dundas, and that money had been given to him.—The hon. member proceeded to read the depositions of a man named George Pickard, 15, Hare-street, Bethnal Green, as follows:—"I know Edwards. I first saw him before the first Smithfield meeting. I never much associated with him, I considered him too much of a blackguard. I knew his brother also, who was secretary to the Spencean Society. I met him some time about July, at the White Lion in Wych-street; there were two or three others there. He knew me better than I did him. He asked me how I did, and said, 'what a pity it is, Pickard, that 'we can't destroy these b——y vermin.' A trifling conversation took place; at last, 'I'll tell you what it is,' said he, 'any body can get into the House of 'Commons with an order, nor does it re'quire that they should go clean. Sup'pose we have an iron case made in the 'shape of a book (for any person is al-

'lowed to carry in a book), and have some 'old gun-barrels, which may be got cheap, 'cut into pieces about three or four inches 'long; let them be plugged up at each end 'with lead, and the centre filled with 'powder, and a touch-hole made; half a 'dozen of cases may be made full of them 'for a similar number of men to take into 'the House. One man might have a bottle 'of phosphorus, and a lighted match 'might be taken with a piece of rope without giving any alarm to the persons present, and applied to the fuze, which 'would communicate with the contents of 'the cases; they should be thrown when 'the House was full from the gallery; the 'opportunity should be taken when some 'important business was going forward. 'What b——y destruction it would make,' said he, seemingly quite pleased, and laughing at the idea. He next said, that 'Thistlewood would soon be out, and he 'was the boy for doing business. When 'he comes we will set all things to rights.' After some further talk he drew out a grenade, saying, 'What do you think of 'this?' 'What do you call it?' said I; , Oh, you are a d—n'd fool—you know 'nothing,' and then he told me it was a hand-grenade. He asked me if I would make one of 30 or 35 men, for some desperate purpose which he did not explain; 'but such things,' he added, 'should not 'be entered into without having a guard against the b——y police.' Upon which he drew forth a curious instrument from his waistcoat pocket, and said, 'it might 'be put into a common walking-cane by 'having a hole bored in the bottom, and 'be instantly fit for use.' I told him I must know him better before I would have any thing to do with him. He replied, that 'Thistlewood knew him well,' and that that would be a sufficient recommendation.—I met Edwards and Thistlewood previous to the Cato-street business, on the Saturday. Thistlewood asked me various questions respecting business, and after shaking hands he bid me good day; then Edwards turned quite round, and after looking for some minutes, held his hand out to shake hands. I do not recollect the first few sentences that passed, but on parting he said, 'You 'b——, you must fight before long.' On the following Monday two persons called at my lodgings when I was absent, and inquired for me. One of them answered the description of Edwards. They left no message, but called again on Tuesday, but I was away. I never heard of him since then.

"Previous to the last time of my seeing Edwards, I went to the Scotch Arms, in Round-court, Strand, and saw Adams and Edwards there. They both talked about destroying the ministers, and invited me to go to a meeting, and Adams gave me a grenade and Edwards gave me a small-pike. I told Whatman of the circumstance; he advised me to have nothing to do with the business. Adams and Edwards called at my lodgings the day before the Cato-street business, but I had left."

Mr. *Grenfell.*—I beg to know on what authority the hon. alderman is proceeding. Were these affidavits? Was this evidence taken on oath?

Mr. *Bennet* conceived this interruption to be uncalled for.

Mr. *Wynn* observed, that unauthenticated papers could not be read except with the permission of the House.

Mr. *Grenfell.*—I wish, for my own information, and that of the House, to know on what authority this evidence rests.

Mr. Alderman *Wood* answered, that these documents were copies of depositions, many of which had been laid before lord Sidmouth, and were signed by the persons who gave the evidence. Those individuals were ready to swear to the truth of their statements. William Coudry stated that he attended several meetings when Edwards was present, and was informed by him, on one occasion, that a cabinet dinner was to be given at lord Westmoreland's, at which lord Castlereagh would be present. Edwards said, "the b——y Irish butcher must be made away with." Coudry stated also that he had often seen Edwards afterwards, and he was always preparing destructive instruments. Seymour stated, that he knew Edwards four or five years. He met him some time ago, and he proposed that deponent should go to a meeting in Smithfield. He replied to Edwards that he would not go, for that he was not inclined to join in those bad pranks. Edwards afterwards told this man that the meeting had not turned out to their expectation. This, the hon. alderman observed, was a man of considerable respectability. Another man had seen Edwards at a coffee-house, in June, and was told by him that the only means was, to destroy his majesty's ministers by throwing hand-grenades into their carriages. Another individual was called on by Edwards on the 19th of August, three days after the dispersion of the meeting. Edwards stated to him that Manchester was on fire, that the New Bailey was taken, and that Hunt was killed; and added, "Come out immediately, all are ready; we have nothing to do but rallying our forces." Edwards came again at 8 in the evening, and said something so wicked, that the man would have nothing more to do with him. Edwards called on another man at his mechanical business, and asked if the men were all reformers. After coming several times, he saw a sword hung up in the place, and said he would be very much obliged to him for it. The individual gave it. Edwards said "You have more." He replied that he had not. Edwards said such swords were very cheap, and they could get them as cheap as the government. The man gave him no more. But soon afterwards a bundle was brought to him containing 24 swords and some pikes, and Edwards carried away a number of them under his coat, and sent for others. He said to this individual, "Pray come and see what we are about." He went, and there he saw Edwards in a flannel jacket, surrounded with combustibles; he saw him making cartridges and hand-grenades, and arranging all the implements of destruction. The man, who had formerly been at sea, would stay no longer. A man of the name of Chambers was visited by Edwards, and was desired to permit him to leave there some arms. Edwards said that all was ready. He offered money to two Irishmen who came in, and brought them to a public-house, where he treated them with some drink. Mary Barker, daughter of one of the unfortunate men, stated that the hand-grenades and other things found in her father's (Tidd's) house, were entirely brought in the night before by Edwards. Another individual—he was not desired by any of those persons to conceal their names, and if any member wished for the names he was ready to give them—knew Edwards; he had known William Edwards, brother of this Edwards, connected with the police, and had worked with him at the palace at Windsor. This man was conducted by Edwards to Cato-street, but when he saw the preparations there, he immediately ran away. Edwards presented his sword to prevent another from going away from Cato-street. To another person Edwards said, "Now is the time to destroy his majesty's ministers, if the country is not to be ruined." The man replied, "Such a thing might do very well for a foreigner; it would not do for an Englishman." Edwards then got Thistlewood to come along with him to this man. Thistlewood had sold an estate of 7,000*l.* to a friend of the man's, and was therefore known to him. But the man said to them, "I'll hear no more of that." Another man was applied to by Edwards on the 19th of January, and was told by him that the destruction of ministers, either in their carriages or at cabinet dinners, was determined on. Another person stated Edwards to have been patronized by colonel Taylor at Windsor, and that he knew him to be a spy. Another person, who had been on the waggon at the Smithfield meeting, stated, that Edwards gave a hint to a person who was about to speak, of what he should say—gave him a pint of beer—told him to speak out, and among other things suggested, that they were ready with fire-balls. He was sorry to tire the House, but it was a very extraordinary disclosure. Never had there been a thing devised so well. In the whole proceedings not one instance was found of one person seduced, seducing another. A was not found to have seduced B; but in all cases Edwards was the seducer. Of some of the papers he was not prepared to give any account, as they had come into his hands only since he came into the House. But he had stated the facts brought forward by such persons as were sufficient to convict Edwards. He should hear, perhaps, that those persons were themselves guilty of misprision of treason; he was prepared to hear that, and to say something in reply. But that did not at all lessen the guilt of the individual who was seducing others to acts of treason. Edwards had gone on with these practices, and supplied others with money. He could prove money to have passed from Edwards to many of the deluded persons. It was remarkable that Edwards was near the spot when Thistlewood was taken in Harris's house. Whether he had received the 1,000*l.* or not, he did not know. If he had, he could now live without labour, at least without such labour as he might otherwise be dependent on. It was certain that he had lived six weeks in great affluence, under the name of Ward. This was established by the testimony of a very respectable man, who kept a school in St. George's, Hanover-square, with respect to whose conduct in this business the trustees had held a meeting, and found nothing to blame. This gentleman (Mr. Fowler) was applied to by Edwards, under the name of Ward, for lodgings, and Mr. Wake, who kept Buckingham-gate, said to Mr. Fowler that he was a respectable person. After he had been six weeks there, he said to Mr. Fowler, if Mr. Sheriff Parkins or Mr. Sheriff Rothwell should call for him, his name was Edwards. Mr. Fowler exclaimed, "Good God! have I got a spy in my house all this time?" There had been no subscription to provide any money. There had indeed been a subscription for one of the persons implicated, who had been in the debtors prison, but it was very small. There had been, therefore, no money provided among them that could account for Edwards's mode of living and acting. He concluded by moving, "That a secret committee be appointed to examine evidence touching the criminal conduct and proceedings of George Edwards and his associates for the last two years, and especially his connexion with the parties forming the Plot lately discovered in Cato-street."

Sir *R. Wilson*, in seconding the motion, could not withhold his tribute of praise to the worthy alderman, to whose vigilance and attention to the public interests the country was so much indebted. He hoped that his majesty's ministers would not, on consideration, object to the motion. The more particularly as it would afford them an opportunity of vindicating themselves from the reproach of being connected with this Edwards, as well as from the mysterious circumstance of his not having been put either to the bar or in the jury box. He was not in England when the trial took place, but he had not since his return, conversed with any man who did not deplore the circumstance of that person not having been brought forward, either as a culprit or a witness. It appeared that one of the sheriffs, accompanied by another gentleman, waited on lord Sidmouth, requesting that he might be called as a witness. He was not prepared to say that spies were not necessary under certain circumstances, but he must say, that an organised spy system was most abominable. If ministers were prepared to say, that the state of this country was such as to require an organized system of this kind, then he would tell them that they ought without delay to abandon the government altogether. Under any circumstances, those who engaged spies, were placed under an awful responsibility. They should take care that their agents should not become incendiaries—that they should not have the means of providing arms and ammunition, in order to seduce those, who from distress, or a feeling of unredressed wrongs were likely to become easy dupes to their machinations. It was easy to see what the effect would be, if such men as Oliver, or Castles, were to make Paisley or any other distressed district the scene of their operations. In such a case, the distresses of the people would enable such miscreants to bring, not tens, but thousands to the scaffold. That Edwards was guilty, was incontestibly proved by the evidence given on the late trials. He did not say that Edwards was the sole planner of the conspiracy, but he did believe that Edwards had instigated a number of the unfortunate persons who had been brought to the bar, and some of whom had suffered the penalty of death. He felt more jealousy about this transaction in this country, because it forcibly recalled to his mind what had occurred in another country a few years ago. The unhappy persons in the case to which he alluded were accused on the secret evidence of a spy of the police—the accused demanded that the accuser might be brought forward, but that demand was rejected; they were found guilty, and executed under circumstances of peculiar barbarity—with a barbarity which never disgraced the French revolution, even in the very height of its rage. But, barbarous as it was, the execution of those persons did not excite so much indignation as the unjust transaction, disgraced as it had been by the interference of spies. He had good reason to believe that nothing tended so much to make the people of that country treat with distrust and jealousy the public jurisprudence, as the opinion so generally entertained by them, that persons in that country were trepanned and finally executed through the wicked agency of police spies. He was anxious for the appointment of a committee, in order to ascertain the culpability of Edwards—to ascertain whether the offences imputed to him were contemplated by him—to ascertain whether it was his arts and his instigation that seduced the unhappy persons engaged in the late conspiracy, and brought them to the fate which they suffered. It was important to know distinctly and entirely who were the persons who promoted that conspiracy—it was necessary to satisfy the public mind upon this subject, for many might imagine that there were persons in secret and in reserve anxious to forward the plans of conspiracy and to supply the means necessary to meet expected resistance. Another good effect that would follow the appointment of a committee, would be to show the country at large, that such persons as Edwards, after the commission of every crime, would not be allowed the enjoyment of perfect impunity—to convince the country that that description of persons should, like better men, be accountable for their conduct. If it were otherwise—if impunity were to follow them, swarms of these miscreants would cover the face of the country; they would be organized into battalions, the terror of the people and the disgrace of the government. He supported the motion of the worthy alderman from no party feeling. He supported the motion in order to try whether the charges brought against Edwards were true—in order to see why and wherefore the legal advisers of the Crown refused to place that man in the witness's box. His only object was to establish the truth.

Mr. *Bankes* said, that such a motion ought to be supported either by some case of precedent, or some analogy in other times; or it ought to be founded on the urgent necessity of the case. The worthy alderman had not established any grounds applicable to either of those descriptions. The motion was totally inconsistent with every thing he understood constantly to belong to the functions of that House. It was a motion for a secret committee to inquire into the degree of criminality in an individual person. Any thing so extraordinary, so anomalous, as the degree of criminality in an individual, he had never heard proposed for inquiry in that House. He had always expressed, when inquiries of certain kinds were proposed, how cautious the House should be in tradeing on judicial grounds. Judicial inquiries could never be conducted by that House, either with honour to itself, or success in eliciting truth. What powers had that House for the purpose of judicial inquiry? Was there any thing of so little weight as evidence given either at the bar, or before a committee of that House? In every other court there was a power essential to the eliciting of truth. There was a power of receiving evidence under the sanction of God's presence, and the responsibility of an oath. The constitution, wisely as he conceived, denied that power to that House and their committees. The wisdom of our ancestors, when it derived the power of examining an oath, taught them that they ought not to meddle with matters which could only be investigated by the most solemn investigation. Was there no law to be applied to this inquiry? Was there no tribunal in this country? Was the worthy alderman driven from the natural tribunal for trying such charges? What prevented this individual from being prosecuted as all others were prosecuted? He understood that the worthy alderman had applied to a noble lord, and had been so far refused as that the noble lord would give no countenance to the prosecution. But was every individual who indicted a man to ask the secretary of state to give his sanction? It was a miserable state of the country, if a minister of state must give his previous sanction to every indictment. Why did not those whose statements had been read make their depositions before a magistrate? Depositions they could not be called; and for any authority or weight which ought to be attached to them; he looked upon them only as so much waste paper. They had no authority which the House could admit. It was, he conceived, not a little singular, that the hon. alderman had talked all through of Edwards, as the instigator of those plots, yet he never mentioned a word of any body else. It was rather a little surprising that a person of his great acumen could not have conceived that these atrocious proceedings might not have been the result of a conspiracy. Was it nothing that others should have entered into the horrid scheme, or was the only guilty person Edwards? For his own part, he believed that some of those men who were not tried were notorious as having been concerned in the plot, and deeply implicated, though not perhaps in the same degree of guilt as their unfortunate companions, who had laid down their lives in expiation of their crimes. When this was so, then, how could the hon. alderman have omitted to mention that Edwards was alone guilty in this plot? Did the hon. alderman think, by his motion, that a committee of the House was in the nature of a grand jury, and could find a bill? If he did, he held an opinion as to the functions of the House, which was different, he believed, from that of every other member in it. The next point to which he begged the attention of the House was, whether the case stated by the hon. alderman was one of such immediate urgency as called upon the House to take upon itself the functions of the courts of law? Were there faggots placed in the chamber below them, and every thing prepared to blow them up to-morrow, unless they came to a decision that night? Did the hon. alderman think that the danger was now existing—that the plot was still going on—and that they were now called upon for some extraordinary interference? If not, why was this sudden interference demanded? He (Mr. Bankes) did not deny that Edwards was implicated in guilt, but the others who acted with him were not less so: but, however atrocious the plot, he thought it was shaken at the present moment, and that no danger could now be feared from it. What, then, was the object of the hon. alderman in making this motion? Was it that Edwards should be brought to justice as a traitor to his country, or to those associates to whom it would seem he was more bound? This could not be his object; for by his own admission, he would not have him, or any man punished with death for that or any other crime except murder. The hon. alderman wished that this man should be sent out of the country; but this object would be attained without his motion, and that according to his own statement. The gallant general too, who seconded the motion, who had come fresh from a land where dreadful executions were held in abhorrence, had described that every body from Calais to London was shocked at the circumstance that Edwards was not put into the witness box on the trials. Now, suppose the House consented to a committee, could that circumstance form any part of their inquiry, or was it intended that this should be a particular instruction to them? If that were intended, it would show the absurdity of the whole of the motion: for it would only in this shape amount to this—that the law officers of the Crown were to be examined as to why they had not put this man, Edwards, into the witness box to be examined. The proposition was, in his opinion, of a nature too absurd to waste for a moment the precious time of the House upon it. The gallant general had complained that the government was supported by the system of spies; but in the depraved state of the present times, when men of such sanguinary dispositions were abroad, when such plots were embraced, not by one or two, but by a considerable number, was it not necessary that government should have recourse to the agency of spies? He conceived that a good government in such times required the use of spies, and he cared not how much this opinion exposed him to misrepresentation. Would it be held by any man, that the intelligence commmunicated by an informer was to be scouted when it referred to the safety of the state? What would the hon. alderman say if a gang of robbers had laid a plot to plunder his house and attack his family, and information of the intended attack were communicated by one of the party? Would he say to him, "Go, you are as bad as the rest; you deserve no credit, and ought to be punished." Would the hon. alderman say this, and, after having dismissed his informant, go supinely and stupidly to sleep? He was certain that no man would act so incautiously; and were the House to be told that less care was to be taken for the public than for an individual? The hon. alderman was a magistrate; and, as such, did he not know that the principle of the law encouraged men to discover the guilt of those with whom they were associated in crime? Was not the detection of crime, and the punishment of the guilty very frequently brought about by such means? Why, then, should he condemn that which was in daily practice, and the utility of which had been so long experienced? There was a great man, a magistrate of ancient times, and of another country—he certainly did not mean to compare him to the hon. alderman—whose vigilance and integrity had saved his country from a most foul conspiracy. He had a different opinion from that entertained by the hon. alderman on the subject of getting information from some of the guilty parties. Whatever other opinions might be entertained of that great man (Cicero), there would be, he believed, but one on his conduct on that occasion. He had not hesitated to seek and receive information, from the courtezan Fulvia, of Cataline's designs; and the ambassadors of the Allobroges he encouraged to continue to attend the meetings of the conspirators, in order that their designs might be more fully discovered.—"Legatis præcipit, ut studium conjurationis vehementer simulent; cæteros adeant: bene polliceantur, dentque operam, ut eos quam maxume manifestos habeant." Such was the conduct of that great man and excellent magistrate: and it was a conduct for which he had never been accused by the lovers of their country. In conclusion, the hon. gentleman again expressed that he saw no ground whatever for acceding to the present motion.

Mr. *Hobhouse* addressed the House for the first time, as follows:—

Mr. Speaker; I feel it incumbent upon me to state shortly my reasons for voting for a motion which, as it has been characterized as senseless, stupid, and absurd, cannot, it appears, be supported without some excuse; and in so doing, I am aware that it is necessary to intreat the House to grant to me the indulgence usually bestowed upon a young member. Indeed I cannot conceal from myself—I cannot conceal from others—that these are peculiar circumstances attending my position here, which make it more than commonly requisite to lay claim to the patience, the attention, and even the candour of the House, whilst I endeavour to explain my sentiments upon a question on which such division of opinion seems likely to prevail [Hear, hear!]. My embarrassment is increased also, since I venture to oppose a gentleman of experience so tried, and of character so high, both in this House and in the country, as the hon. member who has just sat down, and has given opinions so diametrically opposite to those which I venture to entertain. But, unless I am mistaken in every point of view in which I have been able to consider this subject—unless I am totally unable to distinguish between right and wrong—unless I have mis-read all the records of this House and of the country, this question is such as an English House of Commons not only should not reject without examination, but is bound seriously to entertain. The hon. member has told us, that this House should not meddle with the criminal jurisdiction of the courts of law. The position, generally speaking, may be admitted—for who does not see that much mischief must ensue from the interference of the makers with the administrators of the laws? And yet it is undeniable that there are many precedents for this interference—it is undeniable that the House of Commons has, in various instances, not only instituted prosecutions, but has assumed all the functions of a court of justice. We are told that the proceeding here would be too summary—that we should be acting as if we could administer an oath, when it is notorious we have not that power—that we should be taking upon ourselves to proceed in a criminal matter. Let me ask the hon. member, let me ask the House—has parliament never proceeded summarily, aye, much more summarily than is now proposed by the worthy alderman? Let me ask, has this House never acted as if it would examine upon oath—has it never proceeded without the pains of taking even simple evidence upon many an important question? Let me ask, are there no instances in which the members of this House have clothed themselves with the attributes and power of courts of law, and have assumed to themselves a criminal jurisdiction, and inflicted punishment without a single solemnity, or the observance of the most ordinary forms? [Hear, hear!] I think I could suggest a case in which sentence has been passed here upon an absent individual, not only without the trial, but without the citation of the accused; but I am too personally concerned in the transaction to which I allude to enlarge upon this topic. I will only observe, that the House in that instance did invest itself with the authority of the legal tribunals of the country, and did so for the purpose of self-vindication. Shall it then now refuse to interfere in behalf of the people when the object demanded is not punishment, but merely inquiry? Permit me also to remark, that these inquiries are now refused when it is asserted that there exist machinations against the government. On such an occasion depositions, with or without name, coming from parties either of no character or interested in their own allegations, are readily received and made the materials for examination by secret committees, and for enactment against the liberties of our countrymen. Will it not, then, be indecent to refuse to look into an alleged conspiracy against the peace and the happiness of the people? Shall we who are so ready to protect the ministers, do nothing to defend the subjects of the Crown? [Hear, hear!] We are told, indeed, that this is not the proper place for the investigation; because what is proposed to be done here may be done elsewhere. But it is but too clear that unless something is done here, nothing will be done any where. Has not the worthy alderman assured us that the affidavits now offered to the House, have been carried to the secretary of state for the home department—and that the answer received from that noble personage was such as to preclude all hope of further investigation in that quarter? I would intreat the House to look at the difference of the conduct which is recommended as being so salutary now, and of the manner in which this assembly proceeded on the occasion to which I have before alluded. The hon. member for Corfe Castle has ridiculed the danger to which the schemes of Edwards might expose this House. " What," says he, " are we undermined —are we treading on barrels of gunpowder—can nothing save us from destruction but a summary effort to arrest the accused author of so much meditated mischief?" Why, Sir, the charge is, that the instruments for destroying this House were actually prepared; and yet the hon. member ridicules all attempts at punishment or prevention. Now let me recall to the hon. member the dreadful alarms, the prompt proceedings adopted against the author of a pamphlet in which it seemed possible that some recommendations to a dispersion of this House might be found. Here was no plot—no grenades—no mischief either done or meditated; but though this Edwards is to walk at large, the author of a single passage of disputable meaning is to be sent to prison, without trial and without citation.

The principal reason which induces me to vote for this motion is, that it involves interests not partial but universal, and deeply affects the whole people of this great country. I do think, sir, that the language familiar in the mouths of hon. members is such as to make it suspected that we do not legislate for the nation at large so much as for individuals. When I first took my seat in this assembly I heard an hon. member say that the first duty of the government was " to reduce the people." Such was the expression of the hon. mover of the answer to the king's speech at the beginning of the session, and similar phrases have often struck, and I may say, offended my ears since that occasion. I am sure that such language must induce a belief out of doors, that there is a distinction to be made between the governors and the governed; and, to my mind, we cannot have a better opportunity than the present of showing that we are actuated by no selfish motives, but are ready to do our duty by our country, and to promote the interests of all. On this occasion we have an opportunity of showing that we are alive not only to the actual danger, but to the very suspicions of the people. It is indubitable that a very general opinion prevails as to the share which some persons connected with the government may have had with this wretched miscreant. I shall not say that the government is guilty—I shall not say that the government is innocent: I am wholly ignorant of the transaction: but I know that there is a very general feeling abroad that the plot for which the unfortunate men have lately suffered, has been got up by the agents of our police departments. This feeling, whether well-founded or not, makes an enquiry necessary—the people neither will be nor ought to be satisfied without it. They will not be satisfied when they are told that informers and spies are necessary for the maintenance of the government. And here, Sir, permit me to express my astonishment that in this assembly, in a British House of Commons, doctrines should have been preached, which may have been acted upon, I confess, but which were never recommended by any body of men, in any country, until now, —doctrines, worthy the institutions of the Dominicans, but totally incompatible with the rights, the happiness, and even the morality of the people. Had those doctrines come merely from the official defenders of all state practices, I should not have been surprised so much; but I am indeed astounded when I hear them proceed from the lips of the hon. and learned gentleman below me (Mr. Brougham), who has been so long distinguished in the struggles for freedom, and has identified his name with so many great exertions in behalf of the happiness of mankind.

As to the quotations made by the honourable member for Corfe Castle—and the practice of ancient times, I think the honourable member has dealt rather unfairly with Cicero. It is true that when that great man found out that there existed a profligate machination against the liberties of Rome, he made use of the information of a woman and of certain foreign ambassadors, and advised them to appear to enter into the nefarious scheme —but the scheme was formed before. I do not find that Cicero employed the lady or the Allobroges to make the plot. [Cheers.] I will say nothing of the extreme aptitude of comparing the Lentuli—the Cethegi—and the first nobles of Rome with the wretched men whose insignificance makes it almost impossible that they should either contemplate or complete a treason. But since we have heard of the ancients, I may be allowed to say, that their practice and their principles are not to be quoted in favour of this extraordinary doctrine. The biographer of the Cæsars does indeed record the existence of spies and informers, but he reckons it "*inter adversa temporum*" and he adds, speaking of Titus, that he ordered such criminals to be publicly scourged, to be exposed in the amphitheatres—and to be banished to the most rugged and barren islands of the empire. The emperor Constantine—I hope the House will excuse this pedantry which is not to be attributed to me so much as to the honourable gentleman who has thrown down his glove in this ancient mode of warfare [Hear, hear!]—The emperor Constantine, I say, dealt still more severely with spies and informers, for he put them to death. The hatred to spies was not, however, confined to the best of the Cæsars—even the worst discountenanced that odious system. Caligula proclaimed "he had no ears for informers," and Domitian himself was heard to remark, "*Princeps qui delatores non castigat, irritat.*" I find no advocate for these principles of government in modern times—not even Machiavel himself recommends the employment of these abandoned characters, except, indeed, he may be said to allude to them where he says that "in some cases a prince must have recourse to the service not only of men but of brutes." Montesquieu will not allow of the employment of spies even in a monarchy; "for" says he, "the infamy of the person sufficiently denotes the infamy of the thing." What is true of a monarchy is surely true of a commonwealth, and ours is a commonwealth,—at least king James the first called it so; and when the honourable member for Corfe Castle said no *good* government could go on without spies, he should have said no *bad* government, and then I would have agreed with him. The learned gentleman below me has endeavoured to draw a distinction between an instigator and a spy. But I would ask, can there be a spy without an instigator? The very subsistence of such unprincipled miscreants depends upon the importance of their intelligence—what they get is measured by what they bring—if they do not find a plot, they must make one, or they must adopt some other mode of living. Such men must, by the nature of their undertaking, be not only instigators but active instigators. If they come amongst those engaged in bad designs, their silence would make them suspicious, and they will effect the more warmth because they feel less. I hope, Sir, we have heard spies defended for the last time in this House. I hope that such a system will be discouraged, by the House agreeing to the motion of the worthy alderman. By so doing, this assembly will show that it sympathises with the people in condemning a practice which no good government can require or ought to tolerate [Cheers].

Mr. *Butterworth* stated to the House, that one individual who had been seduced into the late plot, not by Edwards, but by one of his own neighbours (in consequence of reading seditious publications), and who bore a good character theretofore, had repented of his conduct; and having communicated his situation to a friend of his, his friend advised him to go before a magistrate and disclose all he knew of the transactions. Having been introduced to him (Mr. B.), and frankly disclosed the whole of what he knew; he (Mr. B.) brought him before a magistrate; but so terrified was he, that he would not on any account, allow his name to be disclosed—it was not disclosed. Having been apprised of the present motion he (Mr. B.) sent for him, that day and asked him whether he knew Edwards? He replied, that he knew nothing of Edwards since the execution of Thistlewood and his companions. One of the persons implicated in that transaction had reminded him that Edwards attended some of the early meetings, but he did not see him attend any of the late meetings of the conspirators. He (Mr. B.) asked the man whether it was necessary that such a person as Edwards should persuade to acts of violence? He replied by saying "do you suppose we were children?"—The men engaged were men of firmness and understanding, and they were most desperate in the business; at one of their meetings it was observed, that the servants of the ministers were not involved in their masters' guilt, and therefore ought not to be murdered; but the proposal to spare the servants was opposed, as it was said to be sometimes necessary that the innocent should perish with the guilty. He said he was utterly shocked at the idea that such a motion as that before the House should have been made; he knew not what might have been the motives of the worthy alderman in bringing it forward, but he supposed they were the same motives as those that induced him to intrude on the last moments of Thistlewood—a proceeding which appeared to him to be devoid of common feeling. For himself, he was as little connected with ministers as any man in that House, but he thought it only an act of justice to state to the House, with respect to this transaction, what fell under his immediate observation. Speeches and publications of an inflammatory kind, addressed to the worst passions of the people, seduced them from their duty, and caused those disturbances which were so much to be deplored.

Mr. *Hume* expressed himself surprised that the hon. member who had last spoken could impute such improper motives to the hon. alderman who had introduced this question. The conduct of that worthy alderman was as upright and proper as that of the hon. member himself, or any other member in that House. The hon. alderman had acted in situations where that conduct was tried—in a situation which he (Mr. Butterworth) had not been in, and he was always found humanely attentive to all its duties. Was it to be called a crime in him to endeavour to come at truth? He conceived it was not, and that the objection of the honourable member amounted to nothing at all.—It was too much to attribute improper motives to an hon member for an attempt to come at the truth. [Hear, hear! and laughter from the ministerial benches.] Gentlemen might laugh if they pleased. He was, however, sorry to find such a disposition on the present occasion.—It was different when any matter was brought forward in which ministers were interested; then they were all ear, and gave every attention. He could not conceive why the House should refuse inquiry on this important question. In an official despatch from the government of Bengal it was stated, in strong terms, that there was the amplest evidence to prove that a person, employed as a spy had devised the robbery and murder of which he afterwards convicted the unhappy person who was seduced by his instigations. The hon. alderman had shown that Edwards, accompanied by his brother, had brought an individual to a particular spot, in order that at a convenient time they might pounce upon him, and receive the money to which his conviction would entitle them. Was a motion for inquiry into such a circumstance a fit object for the ridicule of the hon. gentleman? He would say that the object was laudable, and he would ask whether Edwards was not now about to withdraw, in order to enjoy the money which he had gained by his wicked practices? He must again protest against the statement of the hon. member—that his hon. friend was a man dead to the feelings of humanity. The moment at which those questions which the hon. gentleman censured so strongly were put, was a moment of the utmost importance. The person to whom they were addressed, was about to appear before his God, to answer for all the good and all the evil that he had done; and if, under such circumstances, he wished to make any reparation to society for the injury he had done it, the only means by which he could make reparation was by a disclosure of the truth. In the questions propounded on that occasion by his hon. friend there was not one word which could be considered blameable; and if the hon. gentleman saw any thing improper in any of those questions, he (Mr. Hume), as an hon. gentleman behind him had said, must impute his own inability to view them in the same light, to some peculiar obliquity or distortion of vision. As to what had been said by the hon. gentleman about the speeches in that House having been productive of harm, he would say, in reply, that truth could never be rendered dangerous by publicity. It was rather the suppression of truth, and the secret arts of spies, that did injury to the public. If the case of this individual were such as it had been represented, and had been so triumphantly received, concealment was not for his benefit; but inquiry was what he should court, and what ministers should promote. But, to return to the question; he would ask what had led to the catastrophe which had been lately witnessed? This question brought them to the spring and source of all the evil.—Thistlewood declared that he was first led to think of this conspiracy, and to form the plan for executing it, in consequence of ministers having done what the hon. member now recommended, namely, having crushed inquiry into a subject on which the voice of almost all the nation called for an investigation. The result of that refusal had been, that the discontent of the public had increased, and this plot had been formed. And, no doubt, more plots of the same kind were forthcoming, for in his conscience, he believed that ministers had been acquainted with the conspiracy of Thistlewood and his associates for a considerable time before it was suppressed by their arrest. This conviction was strengthened by the fact, that an individual, but a short time before destitute of all means, had been supplied with money and with arms—some of those arms bearing the royal mark. The public wished to know from whom that individual had received this money and those arms, nor would they be satisfied till these circumstances were explained. All that was wished by the present motion was, not to criminate, but to inquire (as had been frequently done by parliament on other occasions) whether there were any grounds for instituting criminal proceedings.

Mr. *Wynn* said, that for the number of years that he had sat in the House, he had never heard a motion brought forward on such extraordinary grounds as the present, unless it was, indeed, the former motion of the hon. alderman to proceed against an individual for a breach of privilege, which consisted in a plan to blow up the House; on which ground, he supposed, Guy Fawkes must also have been guilty of a breach of privilege. It had been said, that in similar cases, when his majesty's ministers had to complain of machinations against themselves, similar committees had been appointed. He had never heard of any such committees appointed on account of machinations against the ministers—they were not appointed to gratify the curiosity of the public, but always, as far as his experience went, to lay the ground of legislative proceedings. Who were the witnesses in this case? Men, no one of whom had done the duty of loyal subjects, and given information of the nefarious designs which had been unbosomed to them. It was said this did not lessen the guilt of Edwards, but did it not lessen their credibility? The case was, there was a plot, of which this person had given information. Was it not likely that those who were implicated in that plot and not tried, would, out of policy, as those who were found guilty would, from revenge, seek to invalidate the testimony, and discredit the character of the informer? Was it not common in other cases, as well as in plots against the state, to hear persons convicted of crimes, go out of the world affirming that they were innocent; and that the witnesses who had appeared against them were the real offenders? The hon. gentleman who had spoken that night for the first time, seemed to wish that the ministers had followed the example of Titus—scourged their informant at the cart's tail, and waited to see whether the plot was executed. Did that hon. gentleman not believe, that if the evidence had not been received, the plot would not have been put into execution? He believed in his conscience that it would. But it was said there was a difference between a spy and an instigator. But who were the persons that acted as spies, but men vitiated to the very core? He believed the case was, that few men entered into a conspiracy with a design to betray it; but that having entered into it, their courage failed them. He thought this circumstance was a source of safety to the state, and that it could not be too generally known as a fact, that those who were the loudest and most active in forming plots, were the first to betray those whom they had led into them. Suppose that ministers had learned the existence of the conspiracy from Edwards, of whom he knew nothing but what he had read in evidence on the late trials, and what he had heard from the worthy alderman, were they therefore to refuse credit to his statement, were they to continue in confident security, and to take no measures to detect the guilty? If after the whole was discovered by those means, were they then to refuse credence to Edwards information? Was Edwards to be punished? The worthy alderman had said, that no criminal ought to suffer capital punishment except in cases of murder; but would he contend that the crime of high treason was lower than of murder? He did not see what was to be done by the motion; they could not enter into an investigation merely of the character of this person; and as he could only have given the evidence of the plot under a promise of pardon, he supposed no one would now say that he should be given up to punishment. He saw not a shadow of argument to support the motion.

Mr. *Denman* said, it was impossible not to observe, that the opinion which he and some of his friends near him had formed on the subject before them was disagreeable to the House, and that the approbation which had been bestowed on spies in general, was the favourite sentiment of an English House of Commons. The House seemed to look with kindness on the basest materials of which the human race was composed, and in the danger which they were supposed to have averted from individuals, to forget that they sapped the interests on which all social comfort rested. They had been told this was a novel mode of proceeding, and eloquence, pleasantry and argument had been used to overwhelm the unfortunate individual who had brought it forward. He (Mr. D.) saw nothing in it that was novel. After the proceedings in the North a few years ago, committees of inquiry had more than once been proposed. At times, this proposal had been seriously debated; at times, met with scorn, but it was never thought repugnant to the principles on which the House should proceed. Such motions had been made in consequence of the proceedings at Derby and those at Manchester; motions had been made for committees, and among the minority on all those occasions, was to be found sir S. Romilly, a name which could never be mentioned without veneration. But it was said the present was a different case—that the motion regarded no system, but merely tended to inquire whether or no Edwards was a respectable man, and whether the Crown lawyers should not have called him as a witness, and on this supposition the hon. member for Corfe Castle had poured out all his pleasantry to overwhelm the hon. alderman and the gallant general by whom the motion had been seconded. He denied that the inquiry was thus trivial and vain. It was warranted by the analogy of their proceedings. When measures for the overthrow of the state had been carried on so far as to call, according to the opinion of the ministers, for legislative measures, they induced the House to inquire into the facts. The House was now called upon to inquire into the prevalence of a practice which would once more lead to that necessity for their legislative interference. As to the employment of spies, the hon. member for Corfe Castle, who had applied his distinguished historical knowledge to the subject, had adduced an instance not less apposite than familiar —the employment of a spy by Cicero in the Catilinarian conspiracy. It was never denied that cases might arise which would justify the employment of spies, and such a case was that when Rome was devoted to rapine, and her citizens marked out for the victims of a wide-spreading and formidable conspiracy. But the question was, whether the present was such a case? The question was, who had furnished the conspirators with arms; who was it that had inflamed that misguided, and, he would add, infamous man, Thistlewood, on his release from prison? Was this the necessary employment of a spy or the manufacture of crime by the means of an accomplice? He did not impute to the ministers the intention of inciting individuals to crime, but it was vain for them to think of separating the spy from the instigator, and by sending among the discontented a man who probably possessed money, something of a better education, or more eloquence or persuasiveness than the herd, those who had the seeds of mischief in their minds, became guilty of crimes, which but for these seductions they might have avoided. By employing such instruments, the ministers took upon themselves an awful responsibility, when they must know that these individuals would almost certainly create what they were employed to detect and prevent. As to the proof on which the worthy alderman proceeded, he admitted that the depositions, either of persons convicted for crimes, or of those implicated in them, were not alone entitled to much weight; but there was enough evidence to call for an inquiry. The questions which the worthy alderman had put to Thistlewood were in themselves useful, as the simple answers as to dates and places might lead to the detection of a conspiracy still more infamous than that for which he suffered— As to the question why Edwards had not been produced in court, it appeared to him that it was one which should not be lightly treated. It was a duty on the part of the lawyers of the Crown to afford the prisoner an opportunity of drawing from an infamous accomplice all the circumstances which might tend to their own exculpation, by a severe cross-examination in open court. Would any one say, that the disclosures made by an infamous witness, might not produce an effect on the Crown in the exercise of its prerogative of mercy? Their refusal to do this made an inquiry necessary, that the country might see whether, in the case of Edwards, there was one of those legitimate occasions for the employment of spies in which the ministry might shelter themselves under the authority of Cicero, or whether the infamous person employed by them had overstepped the line of his duty, and laid asleep the vigilance of the government. He could not help saying, from his individual knowledge, he had strong doubts as to the propriety of the conduct of the government. Castles, he believed, was originally an accomplice, and, if so, was totally different from a spy; but those persons executed at Derby, in 1817, were, he had not the smallest doubt, led to the execution of the plot in which they were concerned by Oliver who was employed by government. He did not mean to say, that at the time when they took arms and raised their miserable rebel army, which was dispersed by a few hussars, Oliver was ready to join them,—but from the information which he had obtained at the time, as counsel for the prisoners, and which he had subsequently followed up, he had no doubt that the pretended information which Oliver gave, that he was the delegate of 50,000 men, had the effect of stirring up the persons who suffered the penalty of the law. It was asked, why the prisoner's counsel had not, in either case, called those spies as witnesses? The fact was, that by the rules of proceeding in courts of justice, the party which called a witness was bound to take his testimony, such as it was, and as those persons, Edwards and Oliver, would take care to tell their story pretty fairly, they would, when cross-examination was impracticable, have thrown all the weight of their testimony against the prisoners. Besides, in the case of the trial at Derby, as Oliver was not concerned in the overt acts of treason, to have adduced him to speak to his conversations with Brandreth would only have proved that the plan of insurrection was more deeply laid than it was the prisoner's business to contend it was. But, in the recent case at the Old Bailey, the name of Edwards was to be found in every stage of the plot, and the counsel for the prisoners had a right to have had the benefit of a cross-examination of him, and of all such questions as their knowledge of the world or the individual might suggest. He had it from those learned gentlemen, that they had not the smallest doubt that Edwards had been an active instigator from the beginning of the plot; but that fact they could not state in the defence, because Edwards had not been examined on the trial. The whole of the spy system might be described in the words of Mr. Burke—the seeds of destruction were laid in the civilities of social intercourse, the table and the bed were surrounded by snares. But beyond the demoralization, which was thus carried through every part of life, if the principle were admitted with respect to plots against the government, the practice would be followed up in all parts of the administration—The excise would have spies, the public boards would have spies, the Bank had already spies who, they knew, went down to the country with ready-made false paper [cries of no!]. The gentlemen who denied the fact were little acquainted with the courts of law, as nothing was more common at the Lancaster or Warwick assizes than to see these men put into the box against the criminal who had fallen into their snares. Such men, by spreading the evil which they were employed to check, gave a semblance of truth to the complaint of the depravity of the times, which was to justify the use of them, though he had never known any times so little depraved that governments were not disposed to increase their power, or to use it badly. If the hon. mover pressed the subject to a division, he should support it.

The *Attorney General* said, the grounds on which the hon. and learned gentleman had proposed to vote for the motion of the worthy alderman were new, and wholly distinct from those on which the hon. members who preceded him had given it their support. The worthy alderman in bringing forward his motion proposed to inquire into the conduct of Edwards, but disclaimed all intention of imputing blame to the government for the use they had made of that person. His hon. and learned friend supported the motion on the ground that the government was wrong in employing him, which he had assumed without a tittle of proof, and then he came to the conclusion that he had seduced the late conspirators into the commission of that crime for which they had suffered. He would state that Edwards had never been employed by the government as a spy, and it was not in that character that he furnished that information which had enabled ministers to defeat one of the most horrible plots that had ever been formed. He would ask his hon. and learned friend, if he could suppose that Edwards had seduced Thistlewood and his associates, after reading the evidence given on the trial. From that it would be seen that Monument had proved that when taken before the privy council hand-cuffed to Thistlewood, the latter had told him to say that Edwards had seduced him into the plot. Monument upon this asked how he could say that when he had never seen Edwards. To this Thistlewood replied, that that was of no importance, and said he would describe the man and his dress, that he might answer consistently. More than this, Thistlewood had afterwards desired Monument to hand it round to the others, that they were to say that it was Edwards who had seduced them into the plot. The evidence (as the worthy alderman called that which had been stated to him, but not upon oath) went to impute the whole guilt of the late conspiracy to Edwards. Did he not know from the testimony of Adams, Hyden, and Monument, that Hyden had been attempted to be brought into it by a person of the name of Wilson, that Monument had been brought into it by Thistlewood, Brunt, and Tidd; and that Adams had been introduced to the conspirators by his acquaintance Brunt. So far was Edwards from being the man of influence and eloquence which he had been presumed to be, that it had not transpired that he had ever made a speech or suggested any plan to the conspirators, and the evidence given by Adams had been confirmed by Brunt himself after his conviction. Adams had said that it was proposed to make some great attempt to carry their plans into execution on the night of his late majesty's funeral, as at that time it was supposed the troops would be out of London, being engaged on that occasion at Windsor. Brunt upon this being suggested, said he would never consent to the adoption of any plan of which the assassination of his majesty's ministers did not form a principal part. Adams on this was unconfirmed. It was that which could not be confirmed by other witnesses; but when brought up to receive sentence, Brunt had not only confessed this, but had gloried in it, and added, that if on the night of the late discovery in Cato-street he could have met with lord Castlereagh or lord Sidmouth, he would have carried that part of the plan which related to their destruction into effect. It had been said, "O don't believe Adams, he is a government spy" (though he was not known to the government till he was apprehended in Cato-street); but Brunt, on coming up to receive his sentence, had confirmed Adams's testimony by the speech which he then made. Brunt said on that occasion, "I never did agree, and this Adams has acknowledged, with the plan for attacking London on the night of his majesty's funeral. I objected to that plan, and said that nothing short of an attack on his majesty's ministers would satisfy me. I acknowledged that I wished for their destruction, and agreed with a plan of which this formed a part." This, however, he contended, ought not to have produced a conviction for high treason. He then said—"I agree that I and others had planned the death of his majesty's ministers, and I wish this had been effected; for, if some of them were put out of the way, it would in some measure compensate the country for what it has endured. This would be just: for the circular of lord Sidmouth went to excite the yeomanry of Manchester to murder the people; and if a man murders my brother, I have a right to murder him." He then went on to justify the intended murders by quotations from Scripture, and finished by declaring that his life (which he valued not) he would willingly have sacrificed to accomplish that which he avowed to have been the object of the conspirators. This was the language which he had used, and was it credible that this man had been seduced by Edwards. Thistlewood, too, on receiving sentence of death had read an address, in which, from its composition, he had been evidently assisted, of which the following was a passage:—

"A few hours hence, and I shall be no more; but the nightly breeze which will whistle over the silent grave that shall protect me from its keenness, will bear to your restless pillow the memory of one who lived but for his country, and died when liberty and justice had been driven from its confines by a set of villains. For life, as it respects myself, I care not; but while yet I may, I would rescue my memory from the calumny which I doubt not will be industriously heaped upon it, when it will no longer be in my power to protect it.

"I would explain the motives which induced me to conspire against the ministers of his majesty, and I would contrast them with those which these very ministers have acted upon in leading me to my ruin."

Was this man likely to be seduced

by Edwards? That person must possess credulity beyond any thing that he had met with, who saw his demeanour in court and his subsequent conduct on the scaffold, and who yet could believe that such a man was to be instigated or seduced by any one to take a part in the plot with which he had been connected. When it was said that the government had, through Edwards, supplied the conspirators with money to prosecute their designs, he would call upon those who held this language to look at the evidence given on the trial. There it would be seen that on the day when the grand attempt was made, on its being remarked that it would be proper to treat the men, Thistlewood said he had six shillings which he would expend for that purpose; and Brunt upon this, added, "and I have got a one pound note." If Edwards had been ready to supply them with money at every turn, would he not on this occasion have done so—was it credible that he would not have stepped forward and said, "O, I have money, do not trouble yourselves about that—Mr. Thistlewood need not produce his six shillings, and Mr. Brunt may keep his one pound note." But nothing of this kind had been proved, and though the whole case for the Crown had been known from the middle of the first trial, in the course of the three that followed, it had been found impossible to impeach the witnesses called for the prosecutions. When Wilson had endeavoured to seduce Hyden to join them, he had said, we sometimes receive money from a gentleman's servant, and it was known that they did so; and from other quarters it was also known (and he wished it to be understood that it was known from what quarters) they had received money. If, however, they had been flush of money, as had been supposed through the means of Mr. Edwards, how was it that the conspirators did not know it themselves? He would now look at the conduct of the worthy alderman on the occasion of Thistlewood's execution, and in the censures which had been cast on that conduct he must undoubtedly join. He had heard of instances in which, after persons had been convicted of atrocious offences, attempts had been made by benevolent individuals to remove all doubt as to the justice of their sentence by persuading them to confess their guilt;—he had heard of instances in which, where persons who like Thistlewood persisted to the last moment in denying Christianity, benevolent individuals had endeavoured to correct their error even at the hour of execution, and to prevent them from adding that to the number of their other offences;—but this was the first time, and he hoped to God it would be the last, in which he had heard of any one attending at such a time with pocket questions to induce particular answers, which might suit a particular purpose. Whatever the worthy alderman's motives might be, he could only say, that the act was such as he should be sorry to imitate. And what after all had the worthy alderman got from Thistlewood? He had asked "when he first became acquainted with Edwards?" To this Thistlewood replied, "a few days after he came out of Horsham gaol." He was then asked "where he met with him?" "At Preston's," was the answer. The worthy alderman then asked "if he meant at Preston, in Lancashire?" To this Thistlewood, replied, "No; at Preston's the shoemaker." —Might he (the attorney-general) ask if the worthy alderman had not had communication with Preston (the shoemaker) within the last twenty-four hours? In putting the questions which the worthy alderman had put to Thistlewood, he had no doubt that his object was to elicit truth, but to elicit it with a particular view. Why did he confine his questions to Edwards?—Wy did he not follow them up, and extend his inquiries to get information respecting others who were implicated in the same plot? He might also be allowed to ask why the worthy alderman, as a loyal subject, on receiving depositions respecting Edwards from persons who were implicated in the conspiracy, had not in his magisterial capacity committed them for trial? He would say that it was fortunate that Thistlewood in going out of the world, had not lent himself to inquiries like those made by the worthy alderman, and given such answers as might have been expected from his conduct on his trial and on receiving sentence. Had he done this, the worthy alderman would have conceived his case to be irrefragably proved. But what answers did he get to his other questions. When asked if Edwards had supplied him with money, Thistlewood's answer was—"A trifle. Now and then a one pound note." And when the worthy alderman went on to inquire, "Did he appear to have plenty of money?" The answer of Thistlewood had been, "No, not much." Why did the worthy alderman keep this back? No mention was made of this conversation till it was very properly brought before the House by the hon. member for Dover. The last answer of Thistlewood proved satisfactorily, if any proof were wanting of the fact, that Edwards, so far from supplying the conspirators with money to carry on their designs, had in truth very little for himself. He would tell those who had assisted the conspirators, if any such were now within the reach of his voice, that it was not unknown that from certain quarters money had been supplied, but there was no proof that any had ever been furnished by Edwards. It had been said that Edwards had purchased for them twenty new swords. Was the worthy alderman at the trial? He believed that he had been, and if so he must know that all the swords produced were old ones, and it had been made a matter of ridicule by the counsel for the defence, that the conspirators were to accomplish their designs with those rusty old swords. Then the member for Aberdeen remarked that one of the guns had the Tower mark on it. This proved nothing, and the gun in question had been proved to have been redeemed from pledge by one of the parties. Ings was proved to have taken two swords to a cutler to get them sharpened in a particular way, so that the backs would cut and the points be brought as sharp as a needle. This was before last Christmas; these swords had been found on Ings, and yet they were told that the swords were supplied by Edwards, and that they were new ones. He believed that every one of those who had given the worthy alderman information on this subject was implicated in the plot. If he were not misinformed, the worthy alderman's inquiries had commenced before the late convictions took place. He wished to know why the result of these had not been made known till the Saturday before the execution? The four persons he (Mr. Alderman Wood) had mentioned as having given him their depositions, were most deeply implicated in the plot, yet on those persons the case rested, and on information which was anonymous. It was proved by Monument that this design had been in the mind of Thistlewood almost ever since he came out of Horsham gaol. If any thing could be established to the contrary, why had it not been done before the trials concluded? They, it would be remembered, had lasted ten days, and antecedently three weeks had been allowed, in which the evidence now offered to be adduced might have been brought forward. He could not see the slightest grounds for agreeing with the present motion, and therefore he should give it his opposition. It had escaped him, though he intended before to notice it, that Castles, the witness on Watson's trial, was an accomplice, but never a spy. He remembered well the attempts made at Derby to connect Oliver with the traitors who were there convicted. This was frustrated by the course taken by his learned friend (sir Samuel Shepherd), who on hearing what was intended, sent for Oliver from London, to be produced in court, that it might be seen whether the witnesses could swear to him. This it was known they could not do, as he had never been with the conspirators, and his hon. and learned friend could never prove that he had been with them.

Sir *Francis Burdett* said, that he should occupy the attention of the House but for a very short time. If ever a speech was made which tended to support a motion it was meant to oppose, it was the speech of the hon. and learned gentleman who had just sat down. If all was so clear as he had insisted, where could be the objection to adopting an inquiry, in order to satisfy the doubts which existed in the public mind. If the whole country agreed in taking the same view that the attorney-general had expressed, they might then say with truth that there ought to be no inquiry; but when the public mind was strongly agitated with very different impressions, no simple vote of the House of Commons, nothing but substantial proof, nothing but accurate investigation could satisfy them, whatever statements the attorney-general might offer to their consideration. He had given one reason, which was in itself a powerful argument against his own advice; he had stated that there were other persons, and those not few, connected with the conspiracy—persons of importance and wealth in the country. Such was the way in which he understood the hon. and learned gentleman, and if that was his meaning, the propriety of going into a committee could no longer be denied. The hon. and learned gentleman had stated other points in which he was not borne out by fact. There could be no doubt as to the object of the unhappy persons engaged in the conspiracy, or as to the atrocity of that object, but when the hon. and learned gentleman stated that they had all acquitted Edwards of being an instigator, he stated what was not the fact, but directly the reverse. Whatever degree of credit might be attached to their assertions they all agreed in one thing—they wished Edwards might be put into the witnesses box, not with the vain notion that his testimony could lead to their acquittal, but that they might have an opportunity of showing that he was the original instigator. The hon. and learned gentleman's statement, therefore, was directly contrary to the notorious fact. The hon. and learned gentleman had also indulged himself in animadversions upon the conduct of the worthy alderman. To say the least of them such animadversions were unparliamentary and unfair, and calculated to prevent members from fearlessly discharging their duty to the public, if they were capable of being influenced by the opinions of those who could misrepresent and censure acts for which they were entitled to credit from every man in the country. As to the horrid nature of the conspiracy there could be no doubt, for the conspirators confessed it themselves, and gloried in it; but if they had made no acknowledgment on their own parts, and the case rested simply on the evidence that was produced against them, he should have no hesitation in saying, that the evidence was unworthy of belief. Such was his opinion, and he regretted to find that a vein of merriment prevailed on the present occasion, which even the most brilliant excursions of wit could not justify under the circumstances of the present debate. He would say, in defiance of any laugh that might follow the declaration, that the evidence of such men as Adams, Monument, and Dwyer, uncorroborated by less questionable testimony, ought not to be sufficient to take away the lives of men. Happily, however, there could be no doubt either of the crime or of its atrocity. But when he heard that spies were proper instruments for government to employ, he confessed that he felt all the vulgar prejudice against such a doctrine which had so long characterised the people of England. He regarded them not so much as the evil of the times, as symptoms of the evil, for where did we find those reptiles thrive, and where had they been approved as fair supporters of a government? Was it during the freedom of the Roman commonwealth? Were they employed under a Trajan, or an Aurelius; or under the tyranny of such monsters as Domitian, and Nero, and Caligula? Then they were employed; but now they were employed and justified. The evidence of an accomplice stood upon a different footing; but he could not understand the jargon by which spies were attempted to be defended. A harmless spy—a spy of good character—a quiet, respectable informer, was a sort of being he could not comprehend. The attempt to make a distinction between a spy and an instigator was one of the most clumsy expedients that could be resorted to for the purpose of screening baseness from the infamy that belonged to it. The employment of such wretches was a sign of the evil of the times, and a proof that there was something wrong in the government; it manifested the existence of alarm upon one side, and discontent upon the other; and was resorted to as a defence against machinations which never could have existed under a good government. There was a general dissatisfaction throughout the country—not at the verdicts which were given in those cases, but arising from the belief that government was in the habit of employing spies, who, working on the wretchedness of desperate men, betrayed them into offences against the state. But now it turned out it seemed, that Oliver was an innocent man. Unhappily for his character, however, he was known before this discovery to have travelled through the country, taking advantage of the misery he met. Castles, too, was discovered not to have been a government spy, he had given his information after apprehension; but Oliver still stood on different grounds; and Edwards was a person so enveloped in mystery, that government were called upon to afford some opportunity of investigation, and to defend themselves against the strong suspicion of having employed him. Another fact of some importance had come out on the trial; it appeared that the earl of Harrowby was acquainted with the existence of the conspiracy two months before the attempt was made. Now, as this was the fact, if it could be shown that Edwards went backward and forward between the conspirators and the office of the secretary of state, instigating the one and informing the other, he could not anticipate any possible justification of the conduct of ministers. The right hon. gentleman opposite had lamented the unhappy condition of statesmen, in being under the necessity of employing spies. For his own part, he could not see where the necessity existed; and as for the lamentation, he thought that those who employed them were quite as bad as those whom they employed. It was an old maxim—"Qui facit per alium, facit per se." Whether Edwards had received money from lord Sidmouth he did not know, though the statement of the attorney-general, that they had no new swords among them, was not a satisfactory answer to existing suspicions. Perhaps there were no new hand-grenades, or new weapons of any kind. As to the evidence of Tidd's daughter, it certainly corroborated the case for the prosecution, but it also went to prove that Edwards was at the bottom of all. It was, in fact, a stretch beyond credulity, and even beyond what a minister might expect that House to vote, to suppose that the money given to Thistlewood was in mere charity to his distresses. He could not give up the ground, that an inquiry must lead either to the conviction or exculpation of his majesty's ministers. One hon. and learned gentleman to whom he was sorry to allude, had justified the employment of spies on the distinction to which he had already alluded; but the spies, if so very necessary, were very ill-treated by their employers, who treated them with such disdain. The spies might retort upon them like Thais in the play, "Si ego dignus sum hac contumelia, at tu indignus ut faceres." He confessed he had the old fashioned prejudice of detesting spies; he believed they were the pests of society, that they poisoned all the sources of confidence and peace, and he had rather suffer the penalties of treason, than enjoy the detestable emoluments of the traitor; he would not even betray the devil. Spies destroyed all morality, they cut up all social feeling by the roots, and would, before long, destroy all that comfort and that glory which were once to be found in England. But their employment was also impolitic and unwise. Montesquieu said spies would not be employed by a good government; and he also said they might prove very dangerous to a bad one. That was a terrible state of a country in which a few desperate and contriving men could succeed in upsetting it; and such a condition could not exist without some mal-administration on the part of those who directed its proceedings. Machiavel added his testimony to the wickedness of employing spies, and no government carried on by wisdom would make use of such degrading instruments or allies. He believed that only in that House could the avowal of their employment and the justification offered for it be made without exciting the loudest indignation. And he thought the president of the board of control, as he was in the habit of addressing large bodies, had only to try it on some of these occasions on English feelings, and he would find whether they responded to the sentiments uttered in the House of Commons. The right hon. gentleman would, he suspected, be quite surprised by the result. The greeting which would follow would forcibly remind him of Satan on the floor of hell, amidst hissing spirits. Inquiry alone would quiet the public mind, and if ministers were clear of all improper connexion with Edwards, in God's name let it be publicly manifested. It was charged against some gentlemen who spoke at his side of the House, that they differed in their views of the subject, but what of that? Would such a difference be any bar to a man in any court of justice, or should it be made a ground of resisting all inquiry? Unless the spy system was checked, the country could not be satisfied, and on that ground he should vote for inquiry.

Mr. *Canning* was so satisfied with the state in which the question had been left by the speeches on the other side of the House, and by the speech of his hon. and learned friend, that he had determined not to take any part in this debate, and was only induced to abandon that determination by the speech of the hon. baronet; which had given an entirely different character to the discussion. The worthy alderman proposed that a committee should be appointed to inquire into the conduct of an individual, with a view of bringing that individual to justice, and was so far from accusing the government, that he called upon ministers to give him their assistance, but they now found that it was considered by the hon. baronet that the motion was a motion against ministers, and that the result of the inquiry proposed would probably prove, not only that Edwards was criminal, but establish guilt against the government itself. Under this imputation, he thought it would be as inexcusable in him to be silent as it would have been inexcusable under different circumstances to obtrude himself on the notice of the House. One vice ran through the speech of the hon. baronet. He had all along referred to the contents of the depositions in the hands of the worthy alderman as matters that were in proof, and from what was there stated he inferred guilt on the part of the government. The guilt charged was that of employing spies. For this the hon. baronet would put government on their trial, and the overt act which he would prove against them was the detection of a conspiracy. Now *prima facie* he did not see that there was any great crime in their discovering a conspiracy, proved in the first instance, and had been subsequently avowed, to have been formed for the purpose, not only to destroy his majesty's ministers (the loss of them might be regarded as a very light matter by some who had spoken that night), but to do this with a view of arriving, through their blood, at the means of effecting the destruction of the metropolis and the ruin of the country. He advanced no claim to public gratitude on the part of his majesty's ministers for having incidentally saved the country by their efforts to save themselves, but that a plot existed none could deny, and few could doubt the diabolical spirit in which it would have been executed. It was most extraordinary that it should be made a case of guilt *prima facie* against them — that they had detected the conspirators. But it was charged against them that they had discovered the conspiracy by human means —that they did not arrive at the knowledge of it by revelation—that they did not, like the puritans in former times, "seek the Lord" on the occasion, but availed themselves of such means as had been put into their hands by wicked men, who were disposed to atone for their past conduct by betraying their comrades in iniquity. It was admitted that it was the duty of government to detect and defeat conspiracy; but were they to reject all information which did not come through a perfectly unexceptionable channel?—Were they to believe no one who should give information of the crime, but such a person as they could take to their bosoms and confide in as a friend? Could human ingenuity think of devising restrictions so absurd? The hon. baronet had taken it much amiss that what he had said had provoked what he described to be a smile, but which he might have called a laugh. He had supposed that the most brilliant effusions of wit on an occasion like the present would hardly have produced mirth like that which he had remarked. But the hon. baronet had found that absurdity was more potent to produce mirth than even wit. He had found that that temperament of the House which had resisted the effect of all efforts at wit could not resist the glorious absurdity, that plots might best be discovered by throwing aside every person connected with, or who knew any thing at all about them.—Let this reasoning be applied to private life. Suppose a man should give any hon. member notice that a plan had been formed to murder his family and burn his house. In such a case, according to the ideas of the hon. baronet, the person to whom this communication was made must say—" Traitor! begone from my house. Go and hide your detested head in some remote village. Go and leave your honest colleagues with whom you have been connected, to pursue their designs. Begone, spotted traitor! you have betrayed your fellows—you are worse than they—and you alone I detest."—This course, supposing a man to be living in magnificent solitude—and supposing that he chose to be blown up in his house, there might be no objection to; but if other families were connected with him, and a number of individuals must suffer with him, then, perhaps, in such a case, he would feel it to be right to avail himself of the information given him by the accomplice to prevent the meditated catastrophe, and consider that failing to do this, he would be guilty of a base neglect of duty. The public was but a larger family, it was the duty of ministers to watch over its safety, and not to send away the spy with scorn, as the hon. baronet would advise, if that spy brought them information that might enable them to avert danger. But how was the line to be drawn between the spy and the informer. It was argued that the latter, if faithful to his employer, must become the former. He must take the colour of an accomplice, and doing this deceive them *pro tanto* at least, by making them believe that he was disposed to concur in all their measures. He admitted that this was an incidental evil arising from the employment of spies, which no human foresight could prevent. It was a counterbalance of evils, between which it was the duty of ministers to choose. But some would say, and saying this think they made a great concession, "I have no objection to an informer; take your informers, but don't make use of a spy." But supposing a man should tell him of a plot, Oh, then it would be said, you may act on such information. But suppose it should be stated that it was to break out a week from that time, and he could not then give such good information as he might obtain in a few days. In such a case he would put it to these casuists—these delicate dividers of morality, these weighers of moral feeling by scruples and grains; if he should be informed that the plot was expected to be carried into execution on Saturday, but the informer could get more particulars respecting it on the Friday, ought he to send the man away and act on the imperfect information? If this advice could seriously be given by the hon. baronet, the laugh before raised ought to be redoubled against the hon. baronet; and if he said that the man might be sent back to his accomplices to gain further information, from that moment the informer became a spy, and he would defy any man to draw the line of distinction between them. It was drivelling to say they might make use of such means at all, if they were not to be allowed to pursue them to that point at which they might be made useful to themselves and beneficial to their country. They must, therefore, act as they had done in the present case or adopt the stupid proposition, that they were bound to shut their ears against every information by which the threatened dangers might be met. The senseless cry raised against agents like those employed to frustrate the Cato-street plot, seemed to spring from stupidity so dull, that danger could not enlighten it; or from other motives still more reprehensible in their nature; from a wish that conspirators should be secure, and traitors safe. Such motives he might not suppose to belong to any man in that House; but if any man wished that the bond treason should become the "golden round" of confidence, and that those concerned in such proceedings as had lately been brought to light, should thenceforth be free from danger, he could use no other arguments in support of such a proposition than such as had been heard that night.—To impute such a wish to the hon. baronet he knew would be unparliamentary; but it was not unparliamentary to say, that if the motion now before the House should pass, the next conspiracy would unquestionably succeed. And now for the worthy alderman?—As he could not be answerable for the laugh which had been raised against the hon. baronet, so he could not be responsible for the mirth called forth by the mere mention of the worthy alderman's name. The worthy alderman might himself know to what it was to be attributed, and know that it sprung from those amusing qualifications of which he was possessed. He knew that the worthy alderman was perhaps the most popular man that had ever been in the city of London, with the exception of his predecessor, the great Whittington, and it was his earnest wish by relieving him from the consequences of the rash step he had lately taken, to restore him, pure and unsullied, to that consideration which he so well deserved. By stating the course which he (Mr. Canning) would have pursued on one particular occasion; and comparing it with that which had been pursued by the worthy alderman, it would be seen how anomalous the one would be, or the other had been. If any one had suggested to him (Mr. Canning) that for the love of justice, and for an example to the country, he ought to arrest a man on the scaffold, on his way to death; he should have considered a very grave case must be made out to justify him in taking a step so extraordinary. To call on a man leaving this world—when just on the threshold of a new life, to answer certain questions, was a step not to be taken but in pursuance of an object of some importance. What was the object in the case alluded to. Perhaps, the sufferer had a wife and young family, and humanity called on the party approaching him to offer some relief. Did this appear to be the motive of the worthy alderman? —No such thing. Perhaps then, in the agonies of trial and of conviction, he had implicated some person in his guilt who might be innocent, and the worthy alderman might attend with the pious wish to make him retract what he had advanced, that he might not go out of the world with the guilt of malice and calumny to answer for in addition to his other crimes. —No, this was not the object neither. But it appeared in the course of the trial that he had falsely accused a man of having seduced him into the plot for which he was about to suffer. The statement had been proved to be false. If any man under such circumstances asked him to give the criminal, on his passage to eternity, an opportunity of repeating the convicted lie, which from his previous conduct, on receiving sentence, there was but too much reason to suppose he was well disposed to tell, he should have repelled the party making such a request, not with the scorn with which the hon. baronet would have him send away a spy, but with that horror with which he would repel the tempter of mankind if he stood before him in a tangible shape. Who tutored the worthy alderman he knew not, or whether he acted from himself he could not tell, but it was known that at the last awful moment, he had tempted the wretched Thistlewood to repeat the lie which he had formerly told. What good angel interfered to prevent it, he could not say; but he did resist the temptation. For this they owed the worthy alderman no thanks. To Thistlewood himself they owed that they were not now involved in a discussion on his dying words, uttered to affirm what was previously shown to have been false. Had the answer of Thistlewood been such as might have been expected, it would not have been omitted in the oration of the worthy alderman that night; but on the contrary, the parting declaration of the dying traitor would have been exalted into the legacy of a saint. But that foundation for the motion had not been obtained; and all that had transpired with respect to Edwards was, that he had been an active agent on this occasion—that he was to a certain degree richer than the unhappy men who suffered. If to the question did Edwards furnish money, the answer had been, "Yes, frequently, without stint," would the worthy alderman have forgotten it in his speech?—No! But the answer was, "Not frequently," and that answer made no part of the worthy alderman's speech. The assertion which had been made by his hon. and learned friend in the course of the debate, he (Mr. Canning) would support with his testimony, that though Edwards did not supply the conspispirators with money, there were other persons that did; and that government knew them. But the worthy alderman appeared to suppose, that because Edwards was accused, he must necessarily be brought to trial. With the opinions entertained by the worthy alderman, why did he not prefer a bill of indictment himself, instead of calling on the government to do it? It was not to be supposed that whenever an alderman fancied a crime to have been committed, the party accused must be put on his trial. But the worthy alderman seemed to think that because he backed the warrants of the secretary of state in the city, when he was lord mayor that the secretary of state was bound to return the compliment, and back his bills of indictment from the other end of the town. Aldermen were great men! Lord mayors were very great men! But notwithstanding this, the secretary of state was not their servant, and the worthy alderman had no right to assume that justice was denied to him, because the secretary of state did not think proper to institute a prosecution on his recommendation. They had all read some where that there was no royal road to geometry. He might parody this, and say that there was no aldermanick road to justice; and the worthy alderman, with all his honours about him, must be content to jog on in the ordinary road, and prefer his bill, if disposed to prosecute, before a grand jury. The worthy alderman must take his course like any other subject of the realm; for, great as he was, he was still no more than a subject. Supposing Thistlewood and Edwards to have been equal in criminality, and Edwards making his disclosure first, the government might choose whether or not they would admit him as an evidence—but having so admitted him, it would be monstrous now to turn round and prosecute him, and yet it was for declining to do this that lord Sidmouth was accused of not doing his duty. The fact, however, was not so; for he denied that Edwards and Thistlewood were by any means of the same category. He denied that Edwards was connected with government in the sense of the hon. baronet, or in the sense in which he (Mr. Canning) had argued it *argumenti gratiâ*. Edwards came forward in the first instance as a voluntary informer—he was not sent, but came from time to time, the first information not being that on which proceedings could be instituted. The imputation of the hon. baronet, and gentlemen on his side, on this point, he denied and abhorred. The receipt by ministers of the information had nothing in common with the baseness imputed to it. Those men, on whose testimony the hon. alderman rested the whole of his motion, were men, who, by their own confession, were guilty of at least misprision of treason. And it was upon such a foundation that the House was called upon to institute inquiry! The object, however, of this inquiry, they were told by the hon. baronet, was to put government—who, he allowed had, in this instance, saved the country—on their trial. The House would not, he was assured, pass by the plain rules of justice, at the instigation of the hon. alderman, or from any arguments that could be furnished on the part of the hon. baronet, or his man. Let the House only consider what would be the result of this motion, whether it were carried one way or the other; whether the proceedings instituted in consequence were directed against Edwards for the crime of having betrayed his accomplices; or, against government for having on his information detected conspiracy; the effect would still be to give heart to the remaining conspirators, and teach them to pursue their plots without fear or disturbance. Let them rather continue to treason that which was best calculated to keep it in awe—the fear of betrayal; without which the state would be left to struggle by what means it might through the magnitudinous and multifarious dangers of domestic conspiracy.

Sir *F. Burdett* rose to explain. He by no means meant to reply to the many stupid, absurd, and senseless exaggerations which the right hon. gentleman had been guilty of with regard to his (sir F. Burdett's) sentiments. In the list of his absurdities it had been represented that if his own house were on fire, and the lives of his own family dependent on the steps he should take in such a case he would hesitate to receive, or to act upon the information of an accomplice in the mischief! He had only blamed government for keeping in constant pay a regular set of spies, who insidiously went about the country for the purpose of fomenting discontents and planning conspiracies in order to inveigle the unwary into the snares of the law. He would not retract what he had said; and under this explanation he would repeat that the right hon. gentleman's logic was most absurd, ridiculous, and senseless.

Mr. *Canning* did not think he had misrepresented the hon. baronet. He did not think so before the hon. baronet last rose; nor did the explanation of the hon. baronet alter his opinion. He had never said that the hon. baronet contended for the rejection of evidence after detection

Sir *F. Burdett* begged pardon for such frequent interruptions, but, before the discussion proceeded, he should like to hear from the right hon. gentleman, what he meant when he said his (sir F. Burdett's) " man?" The right hon. gentleman he thought was full of levity that night. He had accused a worthy alderman of being drunk with popularity; but, for his part, he thought the right hon. gentleman was himself drunk with insolence.

Mr. *Canning* observed, that the hon. baronet saw and heard not only what was, but also what was not. He distinctly disavowed having used the expression that the worthy alderman was " drunk with popularity." As to his having given to an hon. friend of the hon. baronet's the title of the hon. baronet's " man," it was an expression which he had met with in some speeches made in Westminster during the late vacation, and which he had read in the same way as the hon. baronet might perhaps have read his (Mr. Canning's) speeches on a similar occasion at Liverpool.

Mr. *Brougham* assured the House that he should occupy their attention but for a few moments, as he had nothing very material to the question to offer, although he differed from the views of his friends near him, by whom the motion was supported, as well as from the opinions of the gentlemen opposite, by whom that motion was opposed. He stood in such a situation, that he had to vindicate himself against the observations of both, which he hoped he should be found to do upon some interchange of explanation. As to the remark which the attorney-general was understood to have made, namely, that money was furnished to the late conspirators by some persons of consequence, upon that remark, as it was explained by the right hon. member for Liverpool, he was not disposed to dwell. But there was a remark from the right hon. gentleman himself, with regard to which he felt it necessary to call for some explanation, in order to prevent any erroneous impression from going forth to the country. Observing that the right hon. gentleman had left the House, he should wait for the explanation he required until his return, being persuaded that he should obtain a satisfactory explanation from the candour of the right hon. gentleman; he meant as to that passage in the right hon. gentleman's speech in which he was understood to say in reference to the Cato-street plot, that there were some persons who perhaps would not be much disturbed by the destruction of those who held invidious offices. But there were passages in the observations of some of his friends near him, to which it was also necessary for him to advert. The gallant general who seconded the motion, as well as the two members for Westminster, appeared to think that he (Mr. B.) had on a former occasion, been an advocate for the systematic employment of spies and informers, which was certainly a most erroneous impression, as could be testified by every gentleman who heard him upon the occasion alluded to. But he was extremely surprised that any gentleman could suppose him capable of maintaining that which, independently of the odiousness of its character, was quite a ridiculous proposition. For what could be more ridiculous than to maintain that a system should be established, the existence of which was calculated to destroy the confidence, the harmony, the peace, and the happiness of social life? It was only in cases of extraordinary emergency that he could agree to the propriety of using such persons as spies and informers. In such cases, indeed, it was not only justifiable on the part of government, but it was their peculiar duty to employ such persons. But he specified on the occasion alluded to precisely such a case as rendered it warrantable, in his opinion, to resort to informers; for he distinctly said, that when such persons as Thistlewood and Ings were abroad, it was justifiable in government to employ, not Edwards of whose character, at the time he made the observation, he had an impression which had since been rather confirmed than eradicated, but to resort to adequate means for watching the operations and defeating the views of such delinquents. But in expressing this opinion he could never mean that society should be inoculated by the systematic or general employment of such noxious vermin as spies and informers. Such a system could indeed be contemplated or desired by those only who were in the habit of abusing official power and who were conscious of deserving public odium.—But, on the other hand, the employment of spies in any case could never be rationally deprecated. Such employment could not, indeed, be consistently opposed by those whigs who recollected the boast of sir Robert Walpole, that the Pretender never received a dispatch with the contents of which he was not made acquainted by the next post. Sir Robert could have derived this intelligence from those only who violated private confidence, and who were, no doubt, bribed for their treachery, for he could not suppose that men volunteered on such occasions; and what was this but the employment of spies? King William also frequently employed spies; but both the minister and the king acted, no doubt in cases of emergency, when a solicitude for the public safety warranted their conduct. There was, he felt, always a danger in using such agents, and those who used them incurred a serious responsibility; for it behoved them to beware of deceit, and to take care that they whom they employed to watch criminals with a view to prevent crime, did not go much farther by promoting plots and conspiracies in order to gratify their own avarice. Those guilty of such misconduct called for signal punishment, for he could not see the policy or propriety of granting to instigators the protection that was due to informers. Therefore he felt that the conduct of Edwards ought to undergo a proper investigation. But then he could not think that House the proper place for such an investigation, and on this ground he wished the worthy alderman to withdraw his motion. He wished his honourable friend to do so, because he saw that there was another remedy for the case, and that was the remedy mentioned by his hon. friend, the member for Corfe Castle, namely, the preferring of a bill of indictment before a grand jury. Perceiving that the right hon. member for Liverpool had returned to his seat, he would address to that right hon. gentleman a question on the subject to which he had before referred, namely, whether the right hon. gentleman, in observing that there were some persons who perhaps would not be disturbed by the destruction of those who held invidious offices, meant to apply that observation to any persons in that House?

Mr. *Canning* answered in the negative, adding, that he was not conscious of making such an observation as would imply that he believed in the existence of any approbation of a doctrine that might be as inconvenient to their successors, as to those who at present held the offices alluded to.

Mr. *Brougham* observed, that the right

hon. gentleman was always ready with a joke. His jokes, however, were sometimes like a knife without a handle, which in wielding cut the hand of the user; for in this instance his joke was against himself. If there was a man in the House who did not heartily rejoice in the frustration of the Cato-street plot, he should be named, that he might be regarded as infamous: and if he were out of the House he should be indicated as a mark to be shunned by the world. The conduct of the worthy alderman as to the motive of his visit to Thistlewood was perfectly defensible, that motive being to obtain some clue to further information with respect to Edwards, and upon a subject which the worthy alderman was, as a magistrate bound to investigate. This, he (Mr. B.) thought a fair object of inquiry, and a laudable motive for visiting Thistlewood, although the right hon. member for Liverpool could not, it seemed, be persuaded to visit Thistlewood on such an occasion for any other purpose than that of administering the consolations of religion, which by the way was an office for which the right hon. gentleman did not appear very well suited by his taste, or qualified by his capacity. He repeated his recommendation to the worthy alderman to withdraw his motion for the present, not with a view to abandon proceedings against Edwards, but, on the contrary, in order to take the case into a court of justice, and if a *noli prosequi* should be entered, to prevent the prosecution, or any other attempt should be made to screen the individual in question from justice, and the worthy alderman should again think it necessary to bring the matter under the consideration of that House, he (Mr. B.) pledged himself that at least he would not recommend the motion to be again withdrawn.

The *Attorney General*, in explanation, stated, that in saying the late conspirators were supplied with money from other quarters, he by no means intended to allude to any persons of particular consequence. But those persons who gave the money were fully known to government; and when he expressed a wish that they should be aware of that fact, he meant that it should be communicated to them through the usual channels, by which the public became acquainted with the proceedings of that House.

Mr. Alderman *Wood*, in reply, said, that as he had been charged in a very unhandsome manner by a right hon. gentleman opposite (Mr. Canning), with visiting the prison of a dying man in order to induce him to say the thing that was not, he thought it right to tell that gentleman, that his attacks, however severe, would never prevent him from doing his duty. No invective or attempt at intimidation, should ever deter him from doing his duty in that House to the best of his judgment. The attorney-general had, in the course of his remarks, stated what was not correct with regard to those swords that had been supplied to the conspirators; he (Mr. Alderman Wood) did not say that they were new swords, but he said that they were made in a particular shape, and of a peculiar pattern, but it did not follow that they were therefore new. Indeed, the fact he believed to be otherwise, since he knew that the swords were rusty. The hon. and learned gentleman had only replied to those parts of his argument that suited his own purpose; he had never noticed the tin cases procured by and paid for by Edwards, without any knowledge on the part of the person who made them as to their intended purpose. He had named several persons, whose characters were unimpeached, and who had given testimony of the infamy of Dwyer. Yet all the other individuals who gave evidence against these men, were most immaculate in their characters. Dwyer was produced only on the first trial, lest his infamy should be exposed by Hyden, whom he could prove to be also infamous. The hon. and learned gentleman was served by very faithful and expeditious spies; for he had been able to tell him that Preston had been in his company within the last 24 hours. It was certainly true that Preston had been at Guildhall during the course of that day. He had come to state some grievances, and in his magisterial capacity he was bound to attend to any application of the kind that should be made to him. His going to Thistlewood with the questions which he had thought it proper to put to him, had been called in question. He had acted in this according to the dictates of his conscience. He thought that step necessary, in order to obtain what corroboration he could of the evidence he already had. To the question, whether he had received any money from Edwards, his reply was, not "now and then a pound," as had been industriously promulgated and repeated that evening by the hon. and learned gentleman, but "some pounds."

He first asked Thistlewood (who had been previously informed who he was) whether he had any objection to answer some questions, and he replied that it would give him great satisfaction to answer any question that he might put to him, provided he had time sufficient. It was his intention to have asked several other questions, but he was prevented by the gaoler of Newgate, who had refused him permission to see the prisoners, except he obtained the previous leave of lord Sidmouth. On the evening preceding the execution of these unfortunate men, he had ascertained that a Wesleyan clergyman had been prohibited from visiting Davidson upon a similar pretence. On a former occasion, by the request of a gentleman high in office, he had visited Bellingham previously to his execution, and put a question to him; and he had yet to learn where was the diabolical tendency of such an act. He felt indebted to the hon. and learned gentleman below him for the clear and forcible manner in which he had placed his object, in undertaking that investigation. He was ready to prove from the evidence he was possessed of, that Edwards was the sole promoter and instigator of the Cato-street conspiracy. This he stated in the most solemn manner. If the attorney-general would assure him that he would not put a stop, as he had the power to do, to the prosecution which he should immediately begin against this infamous individual, he would consent to give up his motion directly. In that case he would pledge himself to go before the grand jury with the case, and to carry it on at his own expense. From the evidence he had, he could prove that an officer of the police was connected with this individual, and that they had been engaged together in several plots, previous to, and altogether unconnected with the late conspiracy. This, therefore, attached in a slight degree to government, who were supposed to know the officers of its own police. He could declare that so far from being instigated to the present motion by other persons, his intention to bring it forward was not known to any one gentleman in the House excepting the gallant member who seconded it, and who saw it only yesterday.

Mr. *Canning* said, he understood the worthy alderman wished to withdraw the motion; he therefore took the opportunity of stating, that he, for one, would not suffer the motion to be withdrawn.

Sir *Robert Wilson* said, that it could not fail to have been observed by the House that some warm words had passed between certain honourable members in the course of that debate. It would be much to be regretted if the House should break up without the satisfaction of knowing that those words, so uttered in the heat of the moment, had, in fact, made no unpleasant impresssion on the minds of the parties, who, he hoped, would therefore gratify the House, by manifesting the absence of any feeling contrary to that amicable understanding with which it was customary to conduct the discussions in that House [Hear, hear!].

The *Speaker* rose amidst loud cries of Hear, hear! He was satisfied, he said, that there could be but one feeling of thankfulness in that House towards the hon. and gallant member for the observations that had just proceeded from him; and he was equally sure, that if any expressions, conjured up by the warmth of debate, had fallen from any honourable members, they would be very ready to give the House that satisfaction, which the hon. and gallant member had so handsomely and so properly solicited [Here a pause of several seconds ensued]. The Speaker at length again rose. The hon. and gallant member, he observed, in addressing the House at first, had not pointed so distinctly to the objects of his speech as to name the members to whom he alluded. He, therefore, now felt it to be his duty to say, that he understood the allusion to apply to sir Francis Burdett and Mr. Canning.

Sir *F. Burdett* then rose, and stated, that he considered it his duty to say what he did. It occurred to him that the right hon. gentleman had said, that the worthy alderman was drunk with popularity [a cry of No, no!]. He did not mean to say that the right hon. gentleman used the express words, but certainly he took the meaning to be, that the worthy alderman was intoxicated with popularity. The words he used in consequence of that impression were not intended to be personal.

Mr. *Canning* said, he had not taken any thing amiss which had fallen from the hon. baronet. He had only replied to him as the advocate of the hon. alderman's motion. There certainly were no two persons at greater variance on the subject of politics than the hon. baronet and himself; but there was no member he more wished to discuss a question with than the hon. baronet, for he always discussed it fairly.

The *Speaker* observed, that he was happy to find there was no ground for the supposed irritation of the feelings of the hon. members.

The question was then put, and the motion was negatived.

HOUSE OF COMMONS.

Thursday, May 11.

New Post Office.] Sir. *W. Curtis* presented the report of the committee to whom had been referred for consideration the petition from the lord mayor, aldermen, and corporation of London, praying to be allowed to raise a further sum for the completion of the improvements at the west end of the city. The hon. baronet moved, "That the report be referred to a committee of the whole House."

Mr. *H. Sumner* objected to this proposition. The sum of 240,000*l.* had already been expended in clearing the site for the new post-office, and now the city applied for 100,000*l.* more; of which 33,000*l.* was to be charged on the Orphan fund. It was well known that that fund was principally supported by the duty on coals and culm imported into London. This duty, already 13*s.* 4*d*, a chaldron, fell most heavily on the population, and especially on the lower classes, not only of the metropolis, but of the surrounding districts; and now a measure was proposed which would occasion the addition of a shilling a chaldron to the duty. When it was considered that the sum which had been already voted was on an estimate of the whole expense, said to be accurately made, he thought it was the duty of the House to call for detailed accounts of the expenditure, and to refer them to the examination of a select committee. He would therefore move, as an amendment to the motion of the hon. baronet, to leave out all the words after the words "That the report be referred to," for the purpose of substituting the following:—"A select committee, to whom it shall be referred to examine the accounts of the sums already expended, and to examine the estimates on which the additional grant is required."

Sir *W. Curtis* had no sort of objection to send the accounts to a select committee, but it appeared to him that such a proceeding, on the report of another committee, would be contrary to the rules of the House. As to the facts of the case they were simply these, that unfortunately the money did not go far enough, that a variety of circumstances had increased the expenditure beyond the anticipated sum, and that there were at present thirty or forty thousand pounds, to pay for which there were no assets.

Mr. Alderman *Wood* had no objection to the motion for sending the accounts to a select committee for examination. The hon. member for Surrey had frequently touched on the subject of the duty on coals, but had never been able to make a successful impression on the House. What would be the effect of the present proposition on the hon. gentleman's constituents? That some thirty years hence they would pay a shilling a chaldron more for their coals than at present! That for which they would so pay, would be also as great an advantage to them as to other people. Instead of the narrow confined streets in which coaches and carts were now sometimes detained for two or three hours, fine wide streets would be opened, a circumstance which had no connexion with the new post-office. This street would show St. Paul's in a nobler point of view than it had been yet seen from the north road.

The amendment was agreed to, and a select committee appointed.

Wool Tax.] Mr. *Stuart-Wortley* presented a petition from the manufacturers and other inhabitants, residing in one of the most populous places in the manufacturing district of the West Riding of Yorkshire, the parish of Kirkheaton, complaining of distress, and attributing that distress principally to the duties on wool. He would read to the House a paragraph from the petition, to show the severe nature of the distress experienced, premising that the petition came from persons as well-disposed to the support of government as the inhabitants of any part of the island. The hon. gentleman read the passage in question, which declared that the distress of the petitioners was great beyond example, and that they could not better illustrate its severity than by a reference to the state of the poorer manufacturers in the parish of seven or eight thousand, of whom 1700 had on an average earned, during the present year, only 11 ½*d.* a week each. The petitioners prayed that the House would take the state of the country into their most serious consideration, and above all, that they would do something to relieve the unfortunate manufacturers, and to give them bread.

Ordered to be printed.

Coventry Election—Petition of William Cobbett.] Mr. Butterworth presented a Petition from William Cobbett, lately a Candidate for the city of Coventry, setting forth.

"That at the last Election for Members to serve in Parliament for the city of Coventry, Peter Moore, Edward Ellice, and the Petitioner were Candidates; that the Election began on Wednesday the 8th of March, and continued until Thursday the 16th of March; that the said Moore and Ellice were returned, as being duly elected; and that the Petitioner complains, that this return was, for the reasons which he has now humbly to state, unjust and illegal; that the Petitioner, in offering himself as a Candidate, and in all his conduct previous to and during the Election, was guided by a determination not to violate any provisions of the laws, nor any principle or rule of the strictest morality; to which determination he, from first to last, most scrupulously adhered; but that he has to complain, that, in opposition to him, means were used, not only wholly illegal, but of a nature so odious and detestable, that nothing but an over-ruling sense of duty to his country in general, and to the worthy part of the Electors of Coventry in particular, could induce him to lay a description of them before the House; that the House has not to be informed, that the right of voting in the city of Coventry is confined to the Freemen; that the far greater part of these are journeymen and labourers; that a great majority of them are in low and distressed circumstances; that they are, especially in times like the present, necessarily much subjected to the power of their masters; but he has to inform the House, that this power was in many instances, most foully and most cruelly and tyrannically exerted by the said masters, in order to prevent those whom they still insulted with the name of Freemen, from following the dictates of their consciences, in voting, as they anxiously wished to do, for the Petitioner, some of the said masters having posted up in their manufactories public notices, declaring that they would give no employment to any person who should vote for the Petitioner; nevertheless, it is not on this ground (reasonable, solid, and fair as it is, and abhorrent as such threats are to every rule of the law of Election, as well as to every principle of justice and humanity) that the Petitioner founds the complaint which he now humbly prefers before the House; the Petitioner complains of the effect, not of under-hand influence and cruel menaces abundantly as they were used, but of the effect of direct, open, physical force, nothing short of the employment of which, and in a degree wholly, as he believes, unparalleled, could have prevented him from being at the head of the poll, and from being duly returned as a Member to serve in Parliament; the Petitioner complains to the House, that on the second day of the Election, many of the Freemen who came to the polling booth to vote for him, were forcibly taken from it by a band of men, who were, to all appearance, employed for the purpose; that he stood on the head of the poll the first day; that, notwithstanding the force made use of against him, he was nearly equal in numbers to his opponents on the second day; that on the third day he had overtaken them and surpassed them at about the hour of eleven o'clock, at which time there were ranged by the side of the booth upwards of three hundred Freemen, ready to vote for him; and that at this time there came a body of men who violently and in the most brutal manner forced away the Freemen, who were thus prepared to vote for the Petitioner; that during the whole of this and the succeeding day (which was Saturday) all was riot, uproar, and violence; that a body of men, consisting chiefly of the same persons, manifestly disciplined and organized for the purpose, were engaged in pushing away, pulling away, driving away, beating, cutting the clothes of, and in many instances cutting and stabbing the bodies and limbs of those Freemen who had voted, or who tendered themselves to vote, for the Petitioner; that on the Saturday night the same band of men, joined probably by others, attacked the house (a private house) in which the Petitioner lodged, broke the windows, tore off the window-shutters, broke open the passage-door, loudly and vehemently declaring their intention to make the Petitioner quit the city, or to drag him out of the house and kill him; that this band was finally driven from the house, but that a leader amongst them, after getting withinside the door, stabbed one man with a knife, and was prevented from killing him only by the timely arrival of persons to the wounded man's assistance; that, in consequence of these outrageous and sanguinary proceedings, and of there being no protection of the innocent afforded by the civil power until after the above-mentioned attack, those who would have voted for the Petitioner were kept from the booth; great numbers of those who had voted for the Petitioner had had their clothes cut from their bodies, had been stabbed, hacked, and otherwise maimed in their approach towards, or in their retreat from, the booth; to so enormous a length were these outrages carried, that a gentleman, a stranger at Coventry, having come to the booth to speak to the Petitioner, was, on his return, and even at the door of the booth, seized by the band of stabbers, a knife was run up his back, and his coat cut from his body; upon a representation made to the Petitioner by many Freemen on the Sunday after the attack on the lodging of the Petitioner, that they, who had not yet voted, were afraid to go to the booth, thinking their lives in danger, the Petitioner declined taking any further part in the Election; on the grounds, therefore, that the Election was not free, that it was obstructed by acts of real physical force, that though the poll was proceeded in afterwards, and closed in a peaceable manner, yet that it was, to the prejudice of the Petitioner, obstructed, and forcibly obstructed; that this obstruction, and the outrageous acts by which it was effected, caused numbers not to vote at all, who would have voted for the Petitioner, and caused others to yield to importunities and menaces that they would otherwise have resisted; on these grounds, and on the solemn pledge, on his part, that he is ready to make them good before the committee, the Petitioner appeals to the justice and impartiality of the House, whom he prays to afford him and the injured and insulted Freemen of the city of Coventry such remedy and redress as to their wisdom shall seem meet."

Ordered to be taken into consideration on the 29th of June.

Exchequer Bills.] Mr. *Maberly* rose for the purpose of making the motion, of which he had given notice. But before he did so, he hoped the House would indulge him in a few observations on the present financial system. It would be in the recollection of the House, that in the last parliament the chancellor of the exchequer had stated his intention of proposing a permanent system of taxation for the support of the public credit. Now he could not help saying that the system then adopted by the right hon. gentleman turned out to be a complete failure. It was, in fact, a departure from what the right hon. member proposed to do, and particularly as to the issue of exchequer bills. His decided opinion was, that the present system of temporary expedients ought to be put an end to. The welfare of the country required the adoption of a permanent system of finance. The right hon. member had last year stated, that there would remain of the old revenue a sum of two millions, which, with the new taxes, would make a sinking fund of five millions. Such a sum as a sinking fund, would, in his opinion, be sufficient to support the public credit. But was there such a sum actually applicable to this purpose? And how did the right hon. gentleman last year propose to raise it? He levied new taxes in such a way as to throw the pressure on the working classes of society, not only by taxing the articles which they consumed, but also by that most impolitic tax, the duty on wool. He should always oppose any tax on the raw material. This one in particular was of an injurious tendency, as by preventing the importation of the article it deprived the labourer of employment. The right hon. gentleman was told of this when the tax was imposed, but he was of a different opinion. This tax, however, had failed. He did not blame the chancellor of the exchequer for any failure of the revenue. He believed the right hon. gentleman expected, when he proposed the new taxes, that they would be productive. But he was surprised that he should have come down in February last year, knowing, as he must have known at the time, that the revenue was deficient, that the imports were less by 6,000,000*l.* and the exports by 10,000,000*l.* than they were the preceding year; he was surprised that, knowing this, the right hon. gentleman should have come to parliament with a statement that we were to have an effective sinking fund of 5,000,000*l.* The imports and exports might have increased or decreased, but the right hon. member, with such a prospect before him, must have known that there could not be an available sinking fund to that amount. The total revenue, ordinary and extraordinary, up to 5th April, 1819, was 53,388,248*l.*—The expenditure of that year was 69,448,899*l.* leaving, after making good the deficiency, a sinking fund of 919,340*l.* From this it would be seen that the boasted sinking fund of 5,000,000*l.* was merely nominal. He believed he had mistaken in his calculation. The real sinking fund would be found to be no more than 395,316*l.* The House would see, on comparing the revenue of last year with that of this year, up to the 5th Jan. 1820, that there was a falling off. In the former year the revenue up to 5th Jan. was 49,056,593*l.* This year, up to the same period, it was 48,208,175*l.* leaving a deficiency of 848,418*l.* and if the deficiency of Ireland was taken, he believed it would be 1,000,000*l.*—This was a matter of the most serious importance; and called for the consideration of the House. The right hon. member said there was a deficiency of 13,400,000*l.* and for this purpose a loan was provided to reduce the unfunded debt. A sum of 10,400,000*l.* was advanced, but, notwithstanding this, the debt was not reduced. He would not, however, detain the House on this part of the subject. But he was surprised to find, that notwithstanding the advance of 10,400,000*l.* the increase of the outstanding and unredeemed debt from the 5th January, 1819, to January, 1820, was 9,698,000*l*, This was a system of expedients which could not last. Yet this was not the only inconvenience arising from this system. The right hon. gentleman had last year a sum of 2,000,000*l.* to pay off the interest of outstanding exchequer bills, but for twenty months he had forgotten, as appeared by the accounts to pay any interest. If the right hon. gentleman wished to support the public credit, he would at least, pay the interest of these bills regularly. He believed, that at no former period was it known that the interest on exchequer bills had remained so long unpaid. Last year the right hon. member brought in a bill, enabling the Bank to advance 6,000,000*l.* on the growing produce of the consolidated fund. It was never intended that the Bank should, upon all occasions, be called upon to make good such deficiencies. If this system was to be carried on, it would lead to most dangerous results. He believed the consolidated fund was now in arrear 8,000,000*l.* If the revenue went on as it had done, there would be an additional deficiency probably of 2,000,000*l.* on the July quarter. This would add considerably to the advances to be made by the Bank, which would then be 10,000,000*l.* If the deficiency was to continue, then the Bank must be called upon again in October. Supposing this system to go on, and that the alteration of our currency, or any other circumstance, were to cause a run on the Bank, what would be the consequence? The Bank would, of course, be obliged to take care of their own interests, and that of their friends. They could not issue 10,000,000*l.* or 15,000,000*l.* of their own notes, as they would be liable to be called upon to pay in gold, or in bars at 3*l.* 17*s.* 10½*d.* which was the same thing; the consequence would be, that the public creditor would remain unpaid. A system likely to produce such results was notoriously a bad one. It was the duty of parliament to take care that this period did not arrive. He was sure the bank directors would not do this, unless from necessity; but it was the duty of the House to prevent their being placed in a situation of such difficulty. He would not detain the House much longer. He had clearly shown the danger of making up by loans from the bank the deficiencies of the revenue. They must firmly meet the dangers which surrounded them. The remedy was not by taxing the lower orders, nor by depriving them of labour by taxing the raw material. The only remedy, in his view of the question, was a tax upon property. If a tax of ten millions was levied on real property, and the assessed taxes were given up, it would be a boon to the people which would do more to calm their minds and make them rally round the constitution, than any other measure which could be adopted. If ever there was a time when property could be taxed with propriety, it was this. Were not the corn laws a real tax on the people? This could be shown if the corn bill was removed.—The difference between the price actually paid for corn in this country and that for which it could be imported, were it not for the corn bill, was a tax on the people. Supposing this difference to be 1*l.* per quarter, and supposing the quantity of corn consumed annually to be fifteen million quarters, then there was a tax on the people of fifteen millions annually going, not to the revenue, but to the landed proprietor. This was a fact which no man could contradict. The landed proprietors were better able to pay taxes than the lower classes of society, and therefore, if new taxes must be imposed, and they must be imposed, unless the public credit was to be abandoned, which he supposed the House would not readily consent to, they must fall upon property. He did not mean an income tax, nor a tax upon any profession or trade—no man detested such a tax more than he did; he meant a tax upon landed property. He had before said that the lower classes were unable to bear any additional taxation; he knew also that the middling classes of society were in a similar situation. Before, however, any such tax was proposed, he would recommend the most rigid economy in every branch of the public expenditure. The right hon. gentleman when he last year spoke of placing the financial system on a permanent footing, gave a hope that considerable saving would be made in bounties and drawbacks, and in the collection of the revenue. It appeared, however, from accounts on the table, that there was a sum of 10,000,000*l.* expended under those heads. Our great political economist, Adam Smith, had laid it down, that the great source of wealth was the employment of the labourer by the capitalist, on the soil and in manufactures; it was by the productive power of persons so applied, that provision was made for the unproductive classes of society. He would conclude by moving "That there be laid before the House an account of all Exchequer Bills and Irish Treasury Bills outstanding on the 5th of January, 1819, together with the interest due on each class of the same, separating the amount of Principal from Interest, and specifying the acts under which they were issued, and for what service, including deficiency bills."

The *Chancellor of the Exchequer* said, he should not discharge his duty to the country by prematurely entering into an explanation of his financial arrangements. He was aware that much anxiety existed in the public mind to know what those arrangements were, but no feeling of that kind should induce him to deviate from what he conceived to be his duty. He must therefore pass by all which had been said by the hon. member on that head. The hon. member, in referring to the new taxes had taken it for granted that they had failed. On this head, he had only to refer to accounts which had been laid on the table. In the last three quarters of the year, the increase in the Customs and Excise was 1,921,000*l.* being only 100,000*l.* short of the estimate on the whole year. There was also a difference in the malt duty of 454,000*l.* so that the increase fell but little short of the whole estimated revenue of the new taxes. It might be asked how it happened, that notwithstanding this increase, there was a deficiency on the whole revenue? To this he would answer, that there was a deficiency in the October quarter of last year, arising from a deficiency of Trade and other causes, to the amount of 1,000,000*l.* He, however, had great satisfaction in stating, that this year he entertained a strong confidence that the Customs and Excise would produce the calculated amount, exclusive of the wool duties, which produced little or nothing. The hon. member had complained of the non-payment of interest of exchequer bills. The hon. member must know, that the interest on exchequer bills was paid with the principal, and that it was allowed to accrue up to the period of such payment. It was true there was an arrear respecting these bills, but he would, when the proper period arrived, explain that arrear to the satisfaction of the House; but the interest had been paid upon all the exchequer bills, paid off or exchanged.

Mr. *J. Smith* expressed his disapprobation of the system of finance lately adopted by the right hon. gentleman. It had fallen within his knowledge, that considerable sums had been vested in foreign countries, in consequence of the alarm felt from the insecurity of our present system. There was nothing more necessary than the establishment of a permanent system of finance; as long as our present system was persevered in, so long would surmises, doubts, and alarms exist in the public mind. If it should be found necessary to impose any new tax, he hoped it would be levied on those who were best able to pay it. He could not help saying, that more doubt and alarm had existed during the last two years respecting our financial system, than at any former period, and this feeling was a considerable injury to the country.

Mr. *Baring* was as anxious as any other honourable member could be to see a definite and permanent policy adopted; to see, indeed, the country in an independent situation, which it never could be in its present financial circumstances. We were, however, so peculiarly placed, that it was very difficult to estimate correctly, our own resources. He made this remark in candour and fairness to the right hon. gentleman. Though sorry to learn it, as a matter of information, he could easily conceive why a deficiency should have taken place upon the last quarter. What he dreaded was, lest the same uncertainty should attach to every future estimate of our revenue. Nothing, however, could be calculated on, without a greater degree of quiet and subordination than at present existed. In the present unfortunate state of the country, he was averse to any decisive measure, till he could see the strength of our means. Labouring, as we did, under a want of credit and of confidence, from the state of the country, he did not think that any decisive measure could at present be proposed. There was, indeed, plenty of money in the country; but would there be such a depression of stock, if there was not a want of confidence? If there were a sinking fund of 5,000,000*l.*—he meant a real sinking-fund—it might be said that that would restore credit, and bring stocks to their proper price. The shaken state of the great interests of the country made it extremely difficult to adopt any decisive financial measure. Some other expedients, he understood, were to be adopted, which he thought highly dangerous. He had understood that there were large draughts for long periods of credit drawn on the English treasury, and circulated abroad. He had been informed that there were draughts of this kind for three months in Paris. This was an extremely objectionable expedient: it was of the same description as that of Mr. Pitt with Boyd, which Mr. Pitt was so much blamed for. If the right hon. gentleman would give the amount of such draughts, or consent to a motion by him on the subject, he should advert no farther to it at present; but it was an expedient practised only in the greatest distress, and for the purpose of raising money. He must say that he thought it extremely discreditable.

The *Chancellor of the Exchequer* said, that Mr. Pitt's draughts in Hamburgh were of quite a different description. The draughts at present circulated abroad were made applicable to funds abroad. In a few months he would wind up the whole account, and then present to the House regular accounts of all.

Mr. *Grenfell* said a few words respecting large quantities of silver imported into this country, and large draughts on the treasury of this country, arising from such imports.

Mr. *Baring* said, that it was quite sufficient for him to hear the intention of the right hon. gentleman to present the accounts. If the right hon. gentleman had general bonds for money outstanding on the continent, he would say, as far as he knew the subject, that it was a measure extremely objectionable; and he had heard that there were draughts at three months circulated all over the continent.

The *Chancellor of the Exchequer* said, that those draughts were for silver imported into this country.

Sir *John Newport* said, that he could never consent to the strengthening of the funds at the expence of the community. If the funds were improved by fresh burdens on the country, that would be improving them at the expense of the other interests of the community. The stockholder already received increased value, for he had become a stockholder during a depreciated currency, and now he received increased value by means of the meliorated currency. No sacrifice ought to be made of the great interests of the country for the benefit of the stock-holder. The commercial and agricultural interests were already in great difficulty, and their difficulties seemed not to be diminishing. He therefore must protest against any improvement of the funds, at the expense of the landholder.

Mr. *Maberly*, in reply, assured the House that his observations were not made with a view to profit the fundholder, but to benefit the country at large. He was anxious to see a permanent sinking fund established, and our financial system placed on a sound and permanent footing. He begged to assure the Chancellor of the Exchequer, that he had no wish to pry into his financial arrangements; on the contrary, he was aware that any premature disclosure of them would be injurious, rather than beneficial to the country.

The motion was put and agreed to.

HOUSE OF LORDS.

Friday, May 12.

PETITION OF THE REV. MR. JONES—ATHANASIAN CREED.] Lord *Holland* rose to present to their lordships a petition from the Rev. Pike Jones, curate of North Boney in the county of Devon. Before entering on the principal subject to which he had to call their lordships attention, he felt it necessary to say a few words on two other points connected therewith. The first related to the time at which the petition in question was brought before their lordships; the second to the mode of redress adopted by the petitioner. With respect to the first their lordships might, unless some explanation were offered, justly inquire why they were now, for the first time, called on to consider and afford relief for an injury alleged to be committed a considerable time since. The transaction to which the petition related took place in September last; and he felt it due to the petitioner, as well as to himself, to account for the delay of which he might otherwise be accused. The fact was, that in November the petition was put into the hands of a noble lord, whose love of liberty and the constitution was only equalled by the ability and eloquence he displayed in their support—he meant his noble friend earl Grey. Before some inquiries which were considered indispensable were complete, that noble lord's indisposition unfortunately took place. The business was then referred to him (lord Holland), but the short duration of the session, and he having been also subject to indisposition, rendered it impossible to bring the subject sooner before their lordships. He stated these things merely that the delay might be accounted for, and that the time at which the petition was presented might not operate to the prejudice of the petitioner. As to the second point the petitioner was driven to bring his case under the consideration of the House, because he had understood from persons well-informed on the subject that he had no remedy at law. With respect to the course he was about to pursue, he confessed it would certainly have been more consistent with the usual practice if he had merely introduced it, moved that it be laid on the table, and afterwards have founded some motion on it. But he had thought it more fair and candid to adopt the course he was following. In doing so he was acting entirely according to the wishes of the petitioner, who had shown the utmost desire to proceed in the most fair, candid, temperate and upright manner, and had so conducted himself in relation to the reverend prelates whose proceedings were canvassed in the petition. The ordinary course would now be to state merely the purport of the petition; but, in doing so, he would make such observations as the circumstances suggested. The petitioner was a clergyman in the diocese of Exeter, and attended on the day specified in the petition a county meeting called to consider the claims of the Catholics, and having been charitably inclined towards that body of Christians, had answered the speech of a reverend brother, who was adverse to any further concessions to the Catholics. Soon after this meeting, through the kindness of a friend, he was presented with two livings, one in the diocese of Peterborough, the other in that of Lincoln—in order to be instituted to which, it was necessary, according to custom, for him to obtain testimonials as to his character and moral conduct from three clergymen who knew him, and to have those testimonials counter-signed by the bishop of the diocese in which he resided. The petitioner obtained testimonials of a perfectly satisfactory nature from three beneficed clergymen of his neighbourhood who stated that he had for the three preceding years led a moral, orderly, pious life, and had not, during that space of time, or before, so far as they knew, held, professed, or taught any religious opinions contrary to the doctrines of the church of England. He presented these testimonials to his bishop who refused to countersign them. The petitioner on this refusal wrote to the two reverend and very respectable prelates who presided over the dioceses in which the livings lay, to know whether they were willing to institute him without the counter-signature. One of these reverend prelates, not now in that House (the bishop of Peterborough) answered that he could not grant institution on such testimonials. The other reverend prelate the bishop of Lincoln also declined to grant institution, except on the production of testimonials signed by three clergymen, and counter-signed by the bishop of the diocese to which the applicant belonged; observing in his answer that it was always a rule with him not to accept the testimonials unless they were so counter-signed. In consequence of these refusals, the petitioner solicited, and having obtained an interview with his diocesan, requested that reverend prelate to inform him of the reasons which induced him to withhold his signature from the testimonials. It is stated that the reverend prelate while assuming that he was not bound to give any explanation, still thought it more fair and manly to declare the reasons of his refusal. They did not apply to want of competency in the petitioner to fulfil the duties of a clergyman, or to any immoral conduct, but to one single act connected with the exercise of his political rights. The objection was, to words which the petitioner was said to have spoken at the meeting already referred to. What the words were alleged to be would presently be seen, whether they were ever spoken, and what the effect of them would be, if they had been spoken. The petitioner offered to show that he had never uttered the words attributed to him, and wished to know who his accusers were; but their names were not communicated to him. At last he was obliged to surrender the presentations to the two livings to the patron from whom he received them. He thus sustained a loss of 500*l.* a year, and all his professional prospects were destroyed, without his having been allowed an opportunity of disproving the facts stated against him. His only hope of remedy was grounded on their lordships consideration of the petition, as he was instructed that the law afforded none. That petition contained statements and evidence which in the present stage of the proceeding must doubtless be considered as *ex parte;* but he must say for the petitioner, that, in all the communications he had had with him, he not only appeared most anxious to state nothing but facts, but also to suggest every thing which might serve to explain, or to justify the conduct of his diocesan. He therefore set forth that his diocesan had most candidly, at his request, informed the two other prelates that he had no objection whatever to him on the score of moral character; he had even gone a step further than he had desired, and described to those learned and reverend individuals, the reasons of his withholding his counter-signature.' The result however was, that the petitioner now remained a marked and stigmatised person, enjoying his curacy only at the will of his diocesan: and here his lordship could not help observing that this appeared very extraordinary; for if the reverend prelate thought the petitioner unfit to be instituted to the livings to which he had been presented, he surely ought to remove him, for the same reasons, from his curacy. If his conduct at public meetings had rendered him an improper person for one situation, it equally unfitted him for the other. Having said so much on the allegations of the petition, he should observe, that a clergyman being a warm politician might be an objection with some, but it never was supposed that a clergyman should be deprived of his rights, or subjected to a loss of property for exercising them. The inquiries he had made into the life and conversation of this individual, had proved most creditable to him. He had learned that shortly after being ordained in the year 1814, he had been appointed to a curacy in the county of Devon, the duties of which he had most exemplarily performed; he had never been absent a day from his duty. He had not long filled the situation when he received, a letter from the wife of the rector, who was disabled by illness from writing himself, stating her husband's satisfaction at having procured a curate so diligent and conscientious in the performance of the duties devolved on him. And some time after when the rector died, the parishioners united in a memorial to the patron of the living praying that the petitioner might be appointed to the vacant benefice. But it was needless to dwell on these circumstances, as the bishop of the diocese had no objection to the petitioner's moral conduct. He now came to consider the justice of the right claimed by the reverend prelate. The power claimed and exercised on this occasion would have, if allowed, the preposterous effect of enabling a bishop to prevent preferment in another diocese, in a way he could not in his own. Every bishop, it was true, had power to refuse institution to a living in his own diocese, but then he can be compelled by law to state his reasons for the refusal; and if those reasons do not appear sufficient to the tribunal which has to decide the case, an order will issue to compel the induction. But he was told that there was no superintending jurisdiction in case of a refusal of counter-signature, and even supposing that it was conscientiously and justly executed, yet this was an enormous and arbitrary discretionary power. It may be said on the part of the bishop, would you have me sign a certificate contrary to my conscience? Would you have me record a good opinion of a person when I entertain quite a contrary opinion? His answer would be in the affirmative. He would say that the bishop ought to sign, or that no disadvantage should be sustained by the applicant in consequence of his refusal, or at least that the reasons of the refusal should be stated before a tribunal competent to decide on their validity. If this power were to continue it should be considered what injury without means of prevention or redress might in that way be done, not only to a great number of respectable individuals, but to the rights of their lordships own property in livings, as patrons. For though Mr. Jones honourably surrendered the presentations to the patron, yet the law did not oblige him, and if he had perseveringly insisted on the right with which he had been invested, the patron having had no opportunity to present anew, the livings would have lapsed to the bishops eventually. But he could not refrain from expressing other observations to which the petition gave rise. The discretion had been harshly and injudiciously executed; the reason alleged for its exertion was, the delivery of words to this effect by the petitioner in a speech at a county meeting. Nine-tenths of the clergymen of the Church of England, in signing the eighth article of that church which contains an approbation of the Athanasian creed, and its damnable clauses, signed what they did not believe. It was also stated that he had asserted there was nothing more damnatory in the Catholic system; but it appeared clear from the tenor of the petitioner's argument, that his words had been imperfectly reported to the bishop. With regard to the word damnable, it was much more probable that the word damnatory was used, which, in fact more strictly applied, than the word damnable. It appeared that, in replying to what had been said by a preceding speaker, he had contended that the argument urged against the Catholic church on account of the creeds which Catholics subscribed, might, by a parity of reasoning, be stated against the Church of England. To prove that this was the nature of his argument, the petitioner referred to these three important points: he said, look at the newspapers in which the speech was reported at the time, and you will find no such thing—Look to the evidence of persons who were present, and they will say that they did not hear the words.—Look also to the whole tenor of the argument, and you will find that this will not arise out of it. But it would be said that several persons had stated that they heard the words uttered. These persons were, however, unknown, and several were, on the contrary, ready to declare that the words were not used, and a great cause of complaint, was, that the petitioner had not been allowed to explain the expressions he had actually used, nor had the names of the parties been given to him who gave the information to the bishop. The noble lord then referred to the statements of three gentlemen as bearing out the denial of the petitioner, one of whom had sat next him at the meeting; the second was colonel Pell who had attended it; and the third was a near relative of sir Vicary Gibbs. He stated his impressions of Mr. Jones's conduct in a letter, and appeared to be rather against the Catholics than for them; the account he gave of the words was far from supporting a proceeding which completely stopped a man in his career to the distinction and emoluments which his profession afforded. That gentleman blamed the manner of Mr. Jones, but exculpated him from the tendency attributed to his speech. This and other evidence was offered to the bishop, but it did not produce the desired effect of inducing the reverend prelate to countersign the testimonials, nor procure for Mr. Jones the names of the persons who had accused him. But it was proper that the argument of the petitioner should be stated more entire than had yet been done. A gentleman in the course of the proceedings at the meeting, had made a charge against the Catholics, that they signed intolerant creeds, and had observed, that he would believe what they signed, and not what they professed. This, by-the-by was a mode of proceeding which the bishop did not follow with regard to Mr. Jones; for the reverend prelate would not believe that gentleman on what he had signed, for he had subscribed the 39 articles, which he was charged with denying. In answer, however, to the argument of the Catholics, Mr. Jones would not admit that they all signed intolerant creeds, but contended that if they did, he had no right to draw from speculative points in their creed a conclusion contrary to what they professed, because, if that were admitted a fair argument, it might be turned against the churches of the United Kingdom. In particular it might be urged against the members of the Church of England that they signed the 39 articles, and the eighth article contained an affirmance of the doctrines of the Athanasian creed; and yet, were the subscribers to be asked whether they believed that those who refused to acknowledge some of those articles must be damned, nine-tenths of them, he was sure, would answer that they did not. This appeared to have been the course of the argument. Here the noble lord begged leave to remind the House of the maxim of the church of Scotland *nulla extra ecclesiam salus.* He did not wish to enter into the details of controversy, or he could easily show that the argument used by the petitioner at a public meeting was nothing more than what had been said over and over again by some of the brightest ornaments of the Church of England. It was surely hardly fair towards Mr. Jones to deprive him of all means of advancement in his profession for a disputed expression respecting the Athanasian creed, when men of high eminence in the church had been so little tender of that creed. It was well known that in the scheme of comprehension in 1691, it was proposed to give up that creed; that Tillotson and Tennison were little disposed to support it, the former having observed, in a letter which had been published, "it were well if we were well rid of it," meaning the Athanasian creed. There was also bishop Burnett, who, towards the conclusion of the History of his Own Times, had not scrupled to say, that sixty out of every hundred of the clergy subscribed the 39 articles, who did not believe them, and the rest because they must. Does the reverend prelate mean to say, that had he been then living he would have prevented that great man from filling the see of Salisbury? Archdeacon Paley had in his works, repeatedly expressed disapprobation of the Athanasian creed. On one occasion he states that he is persuaded the great body of the clergy disbelieve the damnatory clauses; and yet he was promoted after he had made that declaration. He was instituted by a reverend prelate of high character after the publication of his sentiments on this subject. If he did not wish to avoid every thing which might have the appearance of a taunt, he could easily show that the damnatory clauses had been condemned by many reverend prelates on the opposite bench. Mr. Jones did not say that he disbelieved the Athanasian creed, but that nine-tenths of the clergymen who subscribed it did not believe in it, or at least believed it in a sense different from that commonly received. But he could not help asking the right reverend prelate who had refused to countersign the testimonials for Mr. Jones on the report of words attributed to him, how he would like if that House were to proceed to pass a vote against himself on the report of language stated to have come from him? He held in his hand an address by a clergyman of the reverend prelate's diocese, published last year. He wished he could read the whole of it, for it applied to all parties in the House. It began, it was true, with his side, but the fire was speedily directed to the other, and finally settled on the Woolsack. The author observed, that it was little known to what danger the church had been exposed by an administration who were dismissed for openly advocating idolatry [Laughter]. But their lordships must hear what was said of the other side. He and his friends were rebels; but the noble lords opposite were traitors. The author stated that the successors of that administration had taken care so to frame the oath of the regent that it should present no bar to the Catholic claims. It was to be hoped that the noble lord opposite would take warning by this, and satisfy these gentlemen in framing the coronation oath [Laughter]. But the author continued, and asserted that the regent had authorized the clerk of the closet to state to him, that if both Houses of Parliament should pass a bill to emancipate the Catholics, he would refuse to give it his assent. It was certainly not a little extraordinary that a dignitary of the church should gravely consider himself authorized to declare, on the authority of the first magistrate of the state, that a negative would be put on a certain measure, if passed by the two Houses of parliament. The assertion he did not believe, if he did, he should feel it his duty to make a complaint against the reverend and learned prelate for a high breach of privilege. But what would the reverend prelate say were that House to act upon it as he had done with respect to Mr. Jones, and pass a vote without allowing any opportunity for vindication? The spirit of Mr. Jones's argument merely was, that he did not impute bad intentions to the Catholics from what they signed, because, by a parity of reasoning, the same argument might be applied to the Church of England. If in that House explanation was allowed to settle the meaning of words used in debate, ought not a similar opportunity to have been afforded to Mr. Jones with regard to words which had passed in the confusion of a public meeting? Here he could not help recollecting words which had fallen from a reverend prelate of great learning and ability, who once sat on the bench opposite, and who never had been suspected of heterodoxy. He alluded to bishop Horsley. He remembered that learned prelate once standing up in his place, and speaking on a question relative to a minor, a female ward of the Court of Chancery, who was in the custody of Catholic relatives. The learned and venerable prelate said, that he did not believe she even entered into the distinctions of transubstantiation, consubstantiation, or any of these conundrums. Had that distinguished prelate lived, it was not unlikely that it might have been proposed to promote him to the see of York when it became vacant. Now, suppose that, on such a vacancy, some members of that House, who had access to his majesty, had gone to him, and secretly advised him against the promotion, on the ground that the reverend prelate treated the most sacred ordinances of the church as rebuses and conundrums; but had this been done, in what would the transaction have differed from the conduct of the clergy of Exeter against the petitioner? He came now to the last point in the petition—the remedy which the petitioner had in law, and without applying to this House. And here he must observe, that if, by the exercise of a power conferred by the legislature, an individual received an injury, and if a whole class of men were liable to the same injury, he did not think that he would place the defence of the whole class on that individual. But in addition to this, great difficulties were started on the point of law, which any individual might be ruined in contending with. In his (lord Holland's) opinion, the counter-signature of the diocesan to a certificate of character signed by the three clergymen merely attested the identity of the clergyman who demanded institution, and gave no additional attestation to his character. He believed this was the principle on which the counter-signature was required. The practice which prevailed, of not following invariably the rule of refusing institution without a counter-signature, countenanced the idea that it was a mere form to attest the identity of the clergyman to whose character the certificate referred. Accordingly, he believed, that where the three attesting clergymen resided in the diocese where the reverend person to whose character they bore testimony was to be instituted, is was not necessary that their certificate should be counter-signed by their diocesan. The counter-signature was merely, he believed, ministerial, and attested not the character of the clergyman requiring institution, but the credibility and identity of the clergymen, who signed the certificate. By the ancient canon law, bishops were not only empowered to demand certificates, but required to do so. A remnant of this practice only now existed; but this state of the law would create a great deal of difficulty in trying the question before the inferior courts. A suit must be instituted of *quare impedit*? To that a special plea must be given in, and, after many tedious and expensive proceedings, a decision might be obtained on which the court of King's-bench might be moved for a *mandamus* calling upon the bishop to countersign the certificate, or to institute the petitioner. He (lord Holland) did not know what might be the success of such a course, nor could he undertake to say what could, or could not, be done by law; but this he could say, that it would afford no relief to the petitioner. By advising him to follow this course their lordships would say to him, "You must not come here—you must go to the courts below. You may procure a writ of *quare impedit*, and, after special pleas and demurrers, you may be able to obtain a *mandamus* from the court of King's-bench, and then you may be instituted into your benefice;" but this was no remedy at law, because before the petitioner obtained it, he must be ruined. The course recommended was, that he should go to law with the bench of bishops, and after he had laid them on their backs, obtain his remedy. He had heard of directions given to children to catch birds by laying salt on their tails, but this was to put salt on the lion's tail and to secure him. A poor curate could not defray law expenses to establish his rights. To refuse him, therefore, the counter-signature necessary for his institution was to blast all his prospects. In the present case it was particularly hard on the petitioner. By refusing the necessary form, his diocesan said to him: "You have chosen a profession of which you can never divest yourself, and which disqualifies you from entering on some others: you have spent a great part of your life in acquiring its requisite qualifications, and performing its peculiar duties, but, in consequence of some unguarded words which you have uttered at a public meeting, your advancement in the line of your profession is for ever barred—your prospects are blasted, and you are left to want, neglect, and despair." He (lord Holland) allowed that the reverend and learned prelate did not refuse his counter-signature to the petitioner's certificate on the ground of a difference between them on the Catholic question, but he had taken care to state that difference, and what might be the consequence of such a refusal, coupled with the declaration of such a difference, on the minds of the other clergy of the diocese? When church-promotion would become the subject of discussion at the breakfast tables, or in the domestic circles of the clergy, would not their friends and relatives warn them, as they valued their hopes of preferment, or provision for their families, not to interfere to obtain additional privileges to our fellow christians, and would they not cite with great effect the example and fate of Mr. Jones?—When the extraordinary powers of the higher orders of the Church over their inferiors was under discussion, he had pointed out some consequences like the present. If these extraordinary powers were not necessary, they ought to be abolished or regulated; and if, unfortunately, they could not be dispensed with, their exercise should be watched, and their abuse prevented. [Hear, hear!] After a few more observations, which were listened to with great attention, and frequently cheered, the noble lord concluded by moving the reading of the petition, adding that, after it was read and received, he would move that it be referred to a committee to inquire into the allegations of the petition, and the state of the ecclesiastical law affecting it, and to report thereupon to the House.

The petition was then read by the clerk, and the noble lord made his motion accordingly. It was as follows:

"That your petitioner has been regularly educated at the university of Cambridge, was admitted into holy orders by the hon. and right rev. Dr. Pelham, bishop of Exeter, in 1814, and has ever since performed the duties of his profession in a manner that has afforded general satisfaction, and your petitioner has never been accused of having committed any clerical offence whatever.

"That T. H. Hayes, esq., high sheriff of Devonshire, in consequence of a requisition, signed by nearly one hundred gentlemen, clergy, freeholders, and inhabitants of the county of Devon, convened a county meeting at the castle of Exeter, on the 23rd April, 1819, for the purpose of petitioning his royal highness the Prince Regent and both Houses of Parliament, against the concessions proposed to be made to the Roman Catholics.

"That your petitioner attended this meeting, and delivered his sentiments in favour of the Catholics, and moreover answered several objections which were made to the admission of their claims. Your petitioner has a perfect recollection of the tenour of his speech, and is certain that he said nothing on the occasion which could be construed into any disrespect towards the doctrines or discipline of the Church of England.

"That your petitioner a few months since was presented to two livings in the dioceses of Lincoln and of Peterborough, and having procured a testimonial, signed by three beneficed clergymen of his neighbourhood, he presented it to the bishop of Exeter to be counter-signed: his lordship refused to sign this testimonial, and stated that he had no objection to the moral character of your petitioner, and that the sole cause of his refusal was the speech your petitioner delivered at the county meeting in favour of the Catholic claims, his lordship having been informed that some sentiments were at that time advanced, at variance with the doctrines of the Church of England. In consequence of this refusal the bishops of Lincoln and of Peterborough refused to institute your petitioner to the livings to which he had been presented, and your petitioner has of course sustained a very serious injury, for which he has no remedy at law.

"Your petitioner humbly represents to your right hon. House that at the time when the bishop of Exeter refused to sign the testimonial in question, many respectable and honourable gentlemen, members of the Established Church, who were present at the county meeting, informed his lordship that the information he had received respecting your petitioner's speech was perfectly erroneous, and that the arguments used on the occasion must have been misrepresented; that no opinions were advanced but such as were called forth by the nature of the debate, and which could not give any reasonable offence to any members of the Established Church. These explanations, however, proved of no avail.

"Your petitioner begs leave to represent that the injury he has sustained is most fatal to his future prospects, for not being aware that the delivery of his sentiments on a political question, at a county meeting regularly convened, was an offence cognizable by his diocesan, he could not possibly have been guilty of a premeditated crime, and the offence not being of a canonical nature, he did not conceive that he was liable to a punishment so disproportionate and severe, more particularly as he produced the most unquestionable evidence in his favour—evidence which would have been admitted in any court of justice. Nor has your petitioner been confronted, or even brought acquainted with the name of any one of his accusers. Moreover in consequence of the refusal of the bishop of Exeter to sign the testimonial, your petitioner's future advancement in the church is completely arrested and being in priest's orders, he is debarred from following any other profession.

"Your petitioner is most willing to submit to any canonical punishment, if it can be proved that he has committed any canonical offence, but no charge has been made against him; he has even been permitted to retain his curacy, though deprived of two livings, whereby he is suffered to perform the least profitable functions of his office, but he is prevented from enjoying those honours and emoluments which are considered to be the reward of useful and active services.

"Your petitioner likewise finds that by some recent acts of Parliament, an almost absolute power is granted to the bishops over the inferior clergy, and the bishop of Exeter has informed your petitioner that he had a power of refusing his signature to the testimonial, without being obliged to make any inquiries on the subject.

"Your petitioner, therefore, finding that he has no remedy for the unmerited injury he has sustained, ventures to throw himself on the sympathy of your right hon. House, and humbly prays that the premises may be taken into consideration, and that your right hon. House will afford such relief to your petitioner, as to it in its wisdom shall seem fit. And your petitioner &c. &c. &c. (Signed)

JOHN PIKE JONES.

The Bishop of *Exeter* said, he should not enter into the detailed part of the noble lord's speech, as he felt himself only called upon to enter into the allegations of the petition as they referred personally to himself. It was unpleasant for him to occupy their lordships attention as he must do, but he trusted they would afford him that indulgence which they were always pleased to bestow upon any one who had never before addressed them. He admitted the facts of the ordination, and the calling of the public meeting, though he was surprised to hear it stated, that he had refused to make any inquiry into the case. He could not, however, but animadvert on the allegation of the petitioner countenanced by the noble mover, that he (the bishop of Exeter) had refused to countersign the certificate, because the petitioner had made a speech at a county meeting in favour of additional privileges to the Roman Catholics. This he (the rev. prelate) unequivocally denied. The circumstances of the case were the following:—The petitioner having, as stated in his petition, been presented to two livings, which by the by, were only to be held for seven years, applied to him to countersign his certificate, of character. This practice of applying to the diocesan for such signature was very ancient and he believed never departed from. When the petitioner applied, and presented his certificate, he (the bishop of Exeter) had some conversation with him. He told him that he knew his opinions, respecting the Catholic question; and that he believed them to be sincere; their opinions differed widely on that subject; but he desired him particularly to understand that this difference had nothing to do with the refusal to sign his certificate. At the same time he expressed a hope that he might meet with the same indulgence from him, which he was certainly most willing to extend towards him. And here he could not avoid alluding to that part of the noble lord's speech, in which he supposed that the line of conduct which he felt it his duty to adopt would have the effect of preventing the clergy from exercising their own free-will on that particular subject.—He had presided in the same diocese thirteen years, and he would appeal to the clergy, as the best answer to such a supposition, whether he had ever attempted to control them. He had distinctly disclaimed acting on any such ground to the rev. gentleman himself. And he disclaimed it again before their lordships. He came now to the alleged cause of refusing the certificate. He had stated at the time that the delivery of the speech at the county meeting had no influence on his decision. Though he was thus explicit in giving a negative to an unfounded allegation, he was not bound to state the reason why he refused. He acted on a discretionary power, with which his office was invested. He felt his judgment was weak, but he acted to the best of his knowledge and discretion; and if he erred, his error was an error of the head, but not of the heart. He investigated the case with diligence—he weighed the circumstances with scrupulous care—he made the most anxious inquiries into facts—he received written letters denying the words attributed to the petitioner—he had received oral information of a contrary description from those with whom he was in habits of intercourse—not among the clergy but the laity—and he had that information since confirmed by letters—and it was a remarkable fact, that the three clergymen who had signed the testimonials, assured him afterwards that they had no knowledge of the matter when they affixed their signatures, and that they were now desirous to withdraw them; so that the testimonials would have fallen to the ground at any rate. And here he must controvert an opinion of the noble mover, that the counter-signature of the diocesan was only a security for the credibility of those who signed the certificate. In his (the bishop of Exeter's) opinion the countersignature of the diocesan did not vouch for the general credibility of the attesting clergymen, but for their particular knowledge of the rev. person to whose character they bore testimony. When the diocesan signed the testimonial, he became a party to it. With that impression he (the rev. prelate) refused to countersign the certificate of Mr. Jones, and, until he was otherwise convinced, he would still refuse. If the petitioner, as he had stated, had suffered an injury by this refusal, he might have his remedy in the courts below. He begged leave to say, and he might be corrected if he was wrong, that redress was not debarred him in due course of law, if he was unjustly aggrieved; but even though the petitioner had no remedy, if he (the rev. prelate) thought it wrong to sign his certificate, he would still refuse his signature. The petitioner went on to state, that after exercising this extreme degree of harshness, he (the rev. prelate) still allowed him to retain his cure. He did so; and it was from a mere matter of feeling. The rev. prelate then distinctly denied that he had said to the petitioner he might refuse the counter-signature without inquiry. He never made the assertion, because he never meant to act upon it. On the contrary, he had entered into the most anxious inquiries, and therefore would not have been so absurd as to have contradicted his own practice. He was engaged no less than three weeks in the investigation, and had obtained evidence sufficient to justify him in what he had done.

Lord *Erskine* gave credit to the right reverend lord for the purity of his intentions, though he thought his conduct in the present instance was properly brought under the view of the House. He had seen many testimonials, and never saw one differ from another, and contended that the testimonials were only required to be signed by those who knew the clergyman, and it was not necessary that the clergyman himself should be known to the diocesan. The manner in which those testimonials were conducted was familiar to all. He believed no one would contradict him, when he stated that they were of this kind. They generally ran in the following words:—"We the undersigned do testify that we personally know —— for the last three years, that we believe him to be a person of moral conduct, and that he does not maintain any doctrines contrary to those of the Church of England." What had fallen from the rev. prelate was correct, that the testimonial was not to the effect of giving the person in whose favour it was signed general credit, but it went to that credit which ought to entitle him to that presentation he sought. It frequently happened that a clergyman was promoted, who did not know three clergymen in the diocese. A son of his had been in that situation, but the signature of one being procured, the archbishop of Canterbury signified that he was worthy of credit; the bishop of Chichester did the same, though they knew nothing of his son, and thus the difficulty was got over. He would admit, that if a right reverend prelate knew any thing disadvantageous to the personal character of the individual, he was not only justified in not signing the testimonial, but bound not to sign it. Every man had a right so to conduct himself in this world, as to preserve his general character, and if he lost it, he must take the consequence. Such was the rule of law. If a person was examined as a witness, and that another swore he did not believe his oath, because he was a man of bad character, the court could not go into the inquiry. But if, as in the present case, an inquiry was set on foot, not as to the general character, but a particular fact, such as the one before them, and that on the ground of that fact, the bishop should refuse to sign, he would take the liberty to say, that such conduct must prove unsatisfactory to the House. He would ask, why did not the rev. prelate go into the spiritual court, where the petitioner would have had an opportunity of defending himself [Hear!]. Would the rev. prelate undertake to say, that those from whom he derived his information were present during the whole of the speech, for nothing could be more unfair than to judge from having heard a part only? In his opinion, it was the duty of the right rev. prelate to have countersigned the testimonial. No man he trusted would suspect him of being an enemy to religion; he had always venerated it from his youth upwards, and he believed the liturgy of the Church of England to be the best and purest in the world. But was it advantageous to have it go abroad, that here, in England, where every man had a right to be tried by his peers, the case of an individual should be prejudged [Hear!]. The bishops of England had always acted in a manner which reflected dignity on their characters, and nothing could be more painful to him than that it should go forth to the world, that a bishop had refused to sign a testimonial, not on the ground of general character, but on a recent fact which did not implicate that character. It was contrary to the principles of justice. Something, he thought, might be done by their lordships in this case; for he agreed with his noble friend that the idea of going to law with the bench of bishops was not within the humble means of a curate—[Hear!].

The *Lord Chancellor* who spoke in so low a tone of voice as to be scarcely audible below the bar, defended the power of the right rev. prelate to act as he had done. It had been stated that he must sign the testimonials; if so, there must be a power to compel him, but he could not find it in the canon law. He apprehended that it was a most serious duty incumbent on the clergy and the bishops to inquire into the character of the person whose testimonials they were required to sign, and maintained that the bishops ought not to be satisfied with the signatures of the clergy, to the exclusion of their own judgment and opinions. Whatever might be the consequences to an individual to whom the counter-signature of a bishop was denied on sufficient grounds, could their lordships lay it down as a rule of parliament, that because that individual could have no recourse to law, an application ought to be made to parliament in his behalf? If the objection of his noble friends was against the law as it stood, they should proceed by bringing in a bill which the House would have an opportunity of discussing; but even in that case he would beg of them before they consented to any enactment to consider what was the duty of clergymen and bishops in signing and countersigning testimonials. For these reasons he was induced to think that they had not enough before them to justify the adoption of any measure by parliament, for whatever some noble lords might think of the particular case, it was not a single case that could justify them in adopting any change in the ecclesiastical constitution of the country.

The Earl of *Carnarvon* wished their lordships to consider this question, not as one of a personal nature, but as involving a principle of great and general importance. It was with much pain, that he had heard a question of so great practical importance passed over in so superficial a manner, and the speech of his noble friend (lord Holland) answered in the manner it had been by the learned prelate who was the object of the present motion. The learned prelate had assigned no reason for having refused to countersign the testimonials of the petitioner, and for having consequently destroyed his character, ruined his fortune, and blasted his hopes of professional honour and preferment. The right rev. prelate had moreover told them what he thought no man would have dared tell their lordships, that he held a discretionary power, affecting the fortunes and the characters of clergymen, and the rights of patrons, and yet that he was not bound to assign any reason whatever for exercising that discretion in the severest manner [Hear!]. Without intending any personal disrespect, he would give the broadest contradiction to that assertion. While he had a seat in that House he would assert the contrary, and would say, that the right rev. prelate was not a functionary of such high and absolute authority as to exercise a discretionary power over the characters and professions of individuals without assigning any reason for his conduct. The learned prelate had told them that in this transaction he had acted on the authority of persons whom he well knew. Their lordships should recollect, however, that this question arose out of a public subject, a subject on which the minds of many men were heated, on which perhaps the mind of the noble prelate himself had been heated. He could have wished, indeed, that the noble prelate had given their lordships the satisfaction of denying what had been reported, but what he (lord Carnarvon) was convinced was false, that the noble prelate was personally mixed up with the subject; but with regard to the offensive expression, they had it on the statement of the petitioner, uncontradicted by the learned prelate, and therefore he thought admitted by him, that the petitioner denied having made use of the words imputed to him, and referred to several witnesses who were present, and whom he wished to be examined. The learned prelate, however, who said he was to dispose of the characters of persons as he pleased, would not say that he had examined these witnesses. Did he judge from a comparison of evidence? No: he proceeded like an inquisitor to take evidence in the dark, and by his own selection, and refused even a hearing to the accused [Hear, hear!]. The House, in fact, knew nothing as yet of the merits of the question. All they had heard from the learned prelate was, that he had exercised his own discretion. The House was called on, not with reference to this particular case, but for the sake of all clergymen and all patrons, to examine what powers had been exercised on this occasion, and to consider the propriety of passing some law to restrain in future the exercise of that discretion. The learned prelate had assigned no reasons for the course he had adopted, but had stated, that on his afterwards communicating to the testifying clergymen the facts which had come to his knowledge, one or two of them [the bishop of Exeter, "All, all"]—well all of them, were disposed to withdraw their signatures. But at the time the learned prelate refused his counter-signature, these clergymen had not withdrawn their signatures [Hear, hear!]. The statement of the learned prelate only amounted to this, that subsequently to his fixing that mark of disgrace on the petitioner, these clergymen withdrew their names from the testimonials which they had formerly signed. It was a hard case that the petitioner should first be condemned, without knowing on what grounds, and then, in consequence of the sentence be looked on as a man unworthy of a certificate of character. The learned prelate had, however, informed their lordships on what grounds the signatures had been withdrawn: he had told them that it had been done when these testifying clergymen learned that the petitioner had said, nine-tenths of the clergymen of the church of England disapproved of the damnatory clauses of the Athanasian Creed. Was it then the opinion of the learned bishop, and of those reverend gentlemen who had withdrawn their signatures on this account, that more than one-tenth of the clergy approved of these clauses? [Hear]. He had not heard the right reverend prelate say, and the ordinary courtesy of the House would not allow him to put the question, whether he himself approved of these clauses. If the noble prelate did approve of them, he would say, that he might be a good member of the church of England, but that he was not a christian [Hear!]. It did so happen that one of the right reverend bishops (the bishop of Lincoln) by whom institution had been refused to this individual, and necessarily refused, because he had not been able to obtain the requisite certificate; it happened that this very bishop who was certainly one of the most worthy as well as one of the most orthodox on the bench, had expressed his disapprobation of these clauses in the most unequivocal language. That right rev. prelate had said, that the Athanasian creed denounced damnation on all who did not believe that the catholic faith was the only true faith, and had expressed his regret that such language should have been used in any human composition. In another place he had said, that though he believed all the doctrines contained in that creed, he could not but think it too much to denounce damnation against all who did not keep them entire. And so this individual was to be sacrificed for saying that nine-tenths of the clergy, and he did not even say that he himself was one of them, held opinions in common with the bishop, who was to have given him institution [Hear!]. He should not trespass on their lordships attention by pointing out all the mischief, all the difficulties, and the incalculable evils which the present case, if allowed to become a precedent, would produce both to the church and to patrons, affecting as it did, in the most alarming manner, the independence of the clergy. Even if he had not had the pleasure of listening to the luminous speech of his noble friend (lord Holland), if he had heard nothing but the answer of the learned prelate opposite, he should have thought that there were sufficient grounds for inquiry.

The Marquis of *Lansdowne* said, that after what their lordships had heard and in the absence of any explanation of his extraordinary conduct, as stated by the learned prelate himself, he thought that no doubt could remain on their minds as to the necessity of some farther investigation. He would briefly call the attention of the House to the authority claimed by the learned prelate over the clergy of his diocese, and to the manner in which he had exercised that jurisdiction. The learned prelate contended that he was authorised to receive accounts respecting an individual within his jurisdiction, not from persons residing in the same quarter with that individual, nor respecting the manner in which he discharged his professional duties, but from persons in distant parts, and relative to matters of fact and words, said to be used, perhaps inadvertently, by that individual; and, on this testimony, collected from persons not acquainted with the general habits of the individual in question, and not impeaching his general conduct or his moral character, the learned prelate thought himself warranted to inflict a punishment, which must inevitably be attended with ruin of character and fortune. Persons in the exalted situation of the right rev. prelate might overlook all views of further promotion [Hear, hear!]; for they were to suppose that he, as a bishop, did not look for or expect further church preferment; still he might find an apology in the weakness of human nature, for an unfortunate curate who might look forward to some advancement in his humble and obscure situation. But the contrary was manifested by his conduct. He had used his discretion to blast those prospects, merely because he had exercised his free privilege as a Briton. The right rev. prelate must not wonder at the complaints of the petitioner, when, from an unfortunate expression hastily uttered, he found himself, without any allegation against him [Hear, hear!], without any opportunity afforded him of establishing the contrary of the fact [Hear, hear!], on the allegation of which his character was to be ruined, and he was to be debarred from all promotion in his profession. But the most remarkable part of the learned prelate's speech was that in which he accounted for not having stated to the petitioner the grounds on which he felt himself bound to refuse his signature, for he would give the learned prelate the credit of supposing that nothing but an imperious sense of duty could have led to a transaction so painful as depriving a brother of present employment and future honour. When asked why he had not given Mr. Jones an opportunity of vindicating his conduct in a spiritual court, especially as the learned prelate had the means of preventing that individual from misinforming or misleading the court, the right rev. prelate told them that his good nature prevented him [the bishop of Exeter—"I said it was a matter of feeling."] Had the learned prelate then wasted his feelings in the previous part of the transaction? The learned prelate had, conscious of the duty which he owed to his country and to the people of Peterborough, refused to admit a person who was unfit to teach them, and yet, with regard to his own diocese, with regard to the people of North Boney, he permits him to preach what he likes. He indulged in a curate of 80*l.* a year that which he would not tolerate in the incumbent of a living of 500*l.* a year, as if the importance of his belief depended upon the amount of his income. The parish where he had 80*l.* a year, for aught their lordships knew, might have contained a much greater number of inhabitants than that in which was the living of 500*l.* a year: for as their lordships knew, the amount of the living did not always depend upon the number of the inhabitants. In the former they might have believed as they pleased, for aught the right rev. prelate seemed to care; but in the latter particular anxiety was evinced in preserving them from the influence of certain opinions. In looking at the whole of the case then, it appeared to him that one of two conclusions must be inferred—either the petitioner was most cruelly and barbarously used, or that the right rev. prelate had not discharged that duty which he was bound to do towards those committed to his care; for, if he had just cause to refuse the counter-signing of the petitioner's certificate, on the ground of his religious opinion, the same reason should have operated in preventing him from disseminating the same doctrines in another place. The question was not so much whether this individual had suffered or not, as whether the right rev. prelate had discharged his duty; and, having at all found it necessary to act in the manner he had done, whether he had done all he ought to have done. He would not go into the question of what legal remedy remained to the individual; for on that subject he did not possess sufficient information; and indeed he had gained but little on that point from the speech of the noble and learned lord (the lord chancellor); but this he would say, that whether there was a legal remedy or not, the House were bound to pay particular attention to the situation of the inferior classes of the clergy in the country. They were placed by the constitution without any representatives in that House. He did not wish for any alteration of the constitution in this respect. It was not the effect of any particular law, but the work of time. But, so circumstanced, he thought they were a class of persons who ought to be most particularly attended to in that House. They were subject to great discretional, he would not say arbitrary, control of their superiors; and he therefore thought their lordships should always feel disposed to listen with attention to their complaints. Setting all that had been stated by the rev. gentleman (the petitioner) aside, but taking the statement of the right rev. prelate himself, he conceived the conduct of that right rev. prelate was not strictly justifiable in having refused to sign the testimonials for this gentleman, and afterwards committing to his care a parish where he must have known that he would disseminate those very doctrines, whose unsoundness he had himself alleged as the cause of his refusal so to sign. Under these circumstances he thought that this question ought to be taken into the consideration of their lordships, and he could not but feel indebted to his noble friend for having brought the subject before the House [Hear!].

The Bishop of *Landaff* (Dr. Van Mildert) said, that giving credit to the feelings of the noble lords opposite upon this subject, he could not yet be insensible to the arduous task of those who had the care and government of ecclesiastical districts. From all he had heard, he did not think that any case of misgovernment was made out against the right rev. prelate. What he had done appeared to him to be only in the strict discharge of his duty. He complained that little attention had been paid either to the feelings of the right rev. prelate, or to the painful nature of the duty he had to perform. With respect to the alleged opinions of the clergy on the subject alluded to, he had passed through all ranks, and he thought it a gross libel to say that nine-tenths of the clergy did not believe the Athanasian creed, although they signed the articles. The right rev. prelate might inadvertently or unwittingly countersign testimonials; but if before he had so done, any circumstances came to his knowledge respecting the character or opinions of the individual, he was bound to act upon them [The conclusion of the right rev. prelate's speech was wholly inaudible below the bar].

The Earl of *Carnarvon*, in explanation, stated, that he had not charged the right rev. prelate with a disbelief of the damnatory articles of the Athanasian creed; but the right rev. prelate had not himself expressed any opinion on the subject. Another right rev. prelate had, in his writings, thrown more than a doubt on the necessity of their belief. Indeed he (lord Carnarvon) had never heard any prelate say, that he believed them; and all that he should add was, that they who did believe them could not be Christians.

The Bishop of *Exeter* was proceeding, we suppose, to comment upon what had fallen from the noble earl, when

Lord *Holland* rose to order. His lordship observed, that, according to the standing rules and constant practice of their lordships, if any noble lord, in explanation, disavowed particular words, no noble lord had a right afterwards to impute those words to him. The question was then put, and their lordships divided, when there appeared—Contents, 18; Non-Contents, 35; Majority, 17.

HOUSE OF COMMONS.

Friday, May 12.

AGRICULTURAL DISTRESS.] Earl Temple presented six petitions from the occupiers of land in the county of Buckingham, complaining of the depressed state of the agricultural interests, and praying for inquiry. On the motion for their being laid on the table,

Mr. *Hume* stated, that observing the daily increase of these petitions, he could not avoid saying, that they appeared to him calculated to aggravate the general distress, by calling at such a time for the imposition of additional restrictions on the importation of grain. Could any man acquainted with the country, propose any measure more likely to increase the notorious sufferings of the commercial and manufacturing classes? The extent of those sufferings required of that House to give the fillup to industry, by the removal of all commercial restrictions; and he was the more surprised at the course to which these petitioners manifestly inclined, when it was recollected that the late corn law had altogether failed, as a measure of relief to the body for which it was intended.

Mr. *Curwen* observed, that the hon. member was quite mistaken in his representation of the objects of the petitioners. Had he given himself the trouble to attend to the allegations of the many that had been already presented, he would have found that they abstained from stating any specific measure of relief, but prayed generally for an inquiry. Was that inquiry to be refused by the House? He trusted not; and when it took place, he was convinced it would appear that the object was not to put money into the pockets of the landlord or the farmer, but to enable them to give employment to labour. In the present distressed state of the agricultural interest, he knew, and he said it with pain, that it was made the object of both the landlord and the farmer, to abstract rather than to employ labour. He should be very sorry that any premature discussion on the subject should take place, and therefore he regretted that a gallant and honourable member had on a former night sounded an alarum on the question. There could be no separate interest between the great branches of the public. The mechanic was as interested in the prosperity of agriculture as the farmer himself. Let it not, therefore, be sent abroad, that relief was sought alone for the landed interest. In the alleviation of that distress, the public creditor was deeply interested. He feared that nothing was calculated to afford actual relief, but a diminution of taxation—and that, to any great extent, the demands on the public income did not hold out any hope. In his conscience he believed that nothing could be effectually done, until the interest of the debt was diminished.

General *Gascoyne* contended that the hon. member, who wished too often to discuss a public question in detail, had either not heard him, or had misunderstood him. In place of sounding any alarum, he had implored the House to pause before, in the present state of the public mind, when too many were irritated without cause, it afforded any ground for increasing that agitation. What other object could these petitions all drawn up in a similar manner, and all complaining of the importation of corn have, but to raise the price of that necessary article? He had that day received a letter from a most respectable manufacturer in the neighbourhood of Manchester, requesting his opinion of the propriety of calling meetings and of petitioning, for the purpose of meeting these agricultural petitions. His answer was, that it would be better to wait until the objects of the petitioners were a little better defined.

Sir *J. Newport* considered that the gallant general had not a little contributed to that agitation which he deplored, having taken, in the earliest stage, the opportunity of giving a very decisive opinion on the object of the petitioners. He trusted the doors of that House would never be closed against any class of the people who conceived themselves aggrieved, whenever they approached it with temperate and respectful language. He deprecated the doctrine, that the agricultural body had a separate interest from the rest of the community. Believing the home market to be the most beneficial, the manufacturers had an equal interest in the prosperity of agriculture.

Earl *Temple* said, that the petitioners asked only for inquiry; they did not presume to point out the means.

Mr. *Ricardo* was not disposed to refuse inquiry to the petitioners, though he thought, under the present state of the country, such a question ought not to be moved but under the soundest discretion. The labouring classes throughout the kingdom were reduced to the greatest distress. That was not the period, therefore when measures should be taken to increase the price of corn. The agricultural interest had its depression, but still it was to be considered as one class, whose prosperity ought not to be forced at the sacrifice of the general good. There was not a more important question than that of the corn laws. Nothing, in his mind, was better calculated to afford general relief than the lowering of the price of corn. It was the first step to that great remedy, the making labour productive.

Mr. *Calcraft* hoped that as long as petitioners approached that House in moderate and respectful language, their application for inquiry would be attended to. When the measure for increasing the importation price of corn was under the consideration of parliament, he had voted against it, but though he did not feel himself bound by that conduct to oppose inquiry, he never had conceived that this question could not be viewed as one in which the interests were divided. Agriculture and commerce had an equal and a common interest in their respective prosperity. It was also to be recollected, that the whole burthen of the poor was thrown upon the agricultural interest. That his hon. friend who spoke last, had, on a former evening, admitted to be a question worthy of investigation. Was it not right then to ascertain whether any relief could be afforded, even on that point?

Lord *Nugent* stated, that he could vouch for the unequivocal respectability of the petitioners. In their allegations as to the poor laws, he agreed with them; in many other respects he differed with them, most particularly as to the extension of the principle by which the price of corn was raised. Such an unnatural increase directly went to raise the price of labour, and add to the pressure of the poor-rates. It was, however, not to be denied, that the distress amongst the occupiers of land was excessive. Many farmers, who were in possession of property, were actually living on their capital, and those who had saved nothing, or but a little, were totally ruined. The country in fact, at the present hour, laboured under a stagnation of all its leading interests. The causes were, to him, plain and obvious—an immense debt, and a fictitious paper currency. The measures adopted by that House, relative to the return to cash payments, were but in operation, and during their process he should have no objection to a temporary measure of relief.

Mr. *Huskisson* deprecated the continuance of any premature discussion on a question which every member must feel to be one of peculiar delicacy. He therefore suggested that the similar petitions which were to be presented should be allowed to be placed on the table without discussion, particularly as an hon. member had already given notice of a motion on these petitions for a future day.

Ordered to lie on the table.

REFORM OF PARLIAMENT.] Sir *M. W. Ridley* said, he held in his hand a petition from the merchants, bankers, and tradesmen, of Newcastle-upon-Tyne, in favour of parliamentary reform. The petition was signed by 3016 persons, and for the respectability of their characters he could vouch his own personal knowledge. The meeting at which the petition was agreed to was conducted with the greatest quietness and unanimity. It was the first meeting held under the restrictive laws passed by the last parliament. It sprung from that middle class of life, the respectability of whose characters and station placed their motives beyond suspicion. These petitioners looked for the correction of the evils under which the country now suffered, to a shortening of the duration of parliaments, to the extension of the suffrage from decayed and notoriously dependent and corrupt boroughs to populous towns. The latter principle had been already acted upon, and he hailed it as a preliminary step in the successful progress of a constitutional reform in the representation. The petitioners begged not to be considered as the advocates of any mischievous doctrines—such as universal suffrage and annual parliaments.

Mr. *Lambton* concurred with the hon. baronet in stating, that the petitioners mere most respectable individuals. They principally belonged to that class of society which had not hitherto taken so great a share in the consideration of public affairs, as he was persuaded it would be highly advantageous to the country they should do—he meant the middle class.

The original requisition for the meeting was signed by fifty respectable tradesmen of Newcastle. With this requisition, although supported by an eminent banker of Newcastle, the mayor of that town had refused to comply. The motives of that gentleman for his refusal he would not pretend to state, but he must be allowed to express his regret that he had withheld his official sanction to a meeting for the constitutional purpose of petitioning the House of Commons. Under these circumstances the meeting was held without his sanction; and he believed he might say, that its respectability was not thereby diminished. The hon. baronet who had just presented the petition had attended and expressed his sentiments. He hoped his example would be followed, and that those respectable individuals belonging to the middle classes of society who perceived how sensibly the condition of the country was affected by the existing state of the representation, would come forward without delay, and distinctly declare their sentiments. For unless they did so, neither himself nor other hon. members who thought with him, would feel encouraged to make the efforts which the importance of the case demanded. He had himself given notice of a motion on the subject, and when the proper time came, he should be prepared to show, that the prevailing dissatisfaction must inevitably increase, unless some step were promptly and decidedly taken to diminish it.

Ordered to lie on the table.

CIVIL LIST—PETITION FROM LIVERPOOL.] Lord *Sefton* presented a petition from the merchants, housekeepers, and other inhabitants of Liverpool. It was signed by nearly 400 individuals of the highest respectability. The petitioners stated, that they observed that a bill had been brought into the House for the regulation of the civil list, and they hoped, that in proceeding to the consideration of that object, the House would bear in mind the existing national distress. The petitioners particularly adverted to the subject of pensions, and described the bad effect on the public mind arising from the lavish and indiscriminate manner in which they were bestowed. They hoped that the amount and disposition of these pensions would be clearly defined by parliament; and they also hoped it might be made the law of the land, that no part of the pension fund should ever be granted by the Crown to a member of the House of Commons, or, if so granted, that that member should no longer retain his seat. The noble lord observed, that from the intimate connexion existing between himself and the petitioners, and from his knowledge of their principles, he was persuaded that there were no persons in existence more anxious for the honour and dignity of the Crown: at the same time, they were earnestly solicitous that the situation of the country should be taken into serious consideration by the House.

Mr. *Bennet* took that opportunity of giving notice, that whenever the civil list bill should come into the committee, he would propose the introduction of a clause, providing, that members of the House of Commons who should receive from the Crown any such grants as those alluded to in the petition, should vacate their seats.

Ordered to lie on the table.

CONDUCT OF THE MILITARY AT OLDHAM.] Mr. *Hobhouse* rose to present a petition from certain inhabitants of Oldham, the contents of which they prayed the House to take into their serious consideration. It appeared from the petition, that a series of military outrages, as the petitioners denominated them, had recently been committed in the neighbourhood of Oldham. In the first place, he wished to state, that whether these were, or were not, exaggerated accounts of transactions which did not deserve the designation given to them, it was not possible for him to say; but, as far as he could collect information on the subject, he believed that every thing stated in the petition was perfectly correct; and he would farther add, that there was nothing in the petition that was at all disrespectful to the House. It appeared, according to the petition, that the inhabitants of Oldham had, on two or three occasions, been subjected to the excesses of the military, who, immediately subsequent to those excesses, had been removed, and replaced by others; in consequence of which, the inhabitants did not know who the soldiers were by whom they had been molested; and therefore they had not the means of procuring justice by a legal process. He understood that, most unfortunately, such a suspicion was entertained of the possibility of receiving justice at the hands of the magistrates, that the inhabitants would much rather go before the commanding officer than apply to a justice of the peace, or complain to the magistrates at the New Bailey. Of course, they were still more willing to come to this tribunal; but they particularly stated, that they would not have applied to this tribunal, as their last resource, if any other means presented themselves for procuring redress. The petition was signed by 3,000 individuals; and what they prayed for was, that an investigation into the matter of complaint should be instituted. They also prayed that there should be some diminution of the standing army. This part of their prayer was not confined to Oldham, but was meant generally. The hon. gentleman then moved that this petition be brought up.

Mr. *H. Clive* wished to offer a few words on the subject of the petition, which, he believed, was drawn up by a person of some notoriety, who came from London, and was now connected with the Manchester Observer. That individual had, he understood, felt a strong inclination to charge the military with riotous behaviour. On the 25th of April, a sort of rejoicing took place at Oldham, and at one of the public-houses, where a number of the town's-people were assembled, there happened also to be a few of the military. A most improper toast was given by one of the former, on which the soldiers wished to withdraw, and they were grossly insulted. On the following day, the same toast was repeated at another alehouse. The obnoxious toast was, "May the skin of every loyal man be torn from his back, in order to make a drum for the reformers to beat to arms!" Was it possible, he would ask, for any person serving the king to hear such a toast without resenting it? There were only five or six soldiers in the room, and there were twenty of the inhabitants present, who attacked the military when they remonstrated on the impropriety of their conduct. One of the soldiers went out, in consequence, and called on his comrades to come and protect their companions from being murdered. In the mean time, the House was filled with town's-people, and about ten or fifteen soldiers procured admission, by breaking the pannels of the door, for they had been barricadoed out. They met with resistance, and they gave and received blows. There the business ended; but individuals in the town made the matter of more importance than it really was, and the commanding officer was induced to inquire into it. In consequence, he ordered the detachment of men to be removed from the town, and at the same time gave every publicity to the circumstance which the case required. He also believed that the magistrates directed an inquiry to be made into the affair; and therefore he conceived the House would think it hardly necessary to institute any further proceeding.

Sir *F. Burdett* said, that all that had been observed by the hon. gentleman was so very little to the purpose, in the present stage of the proceeding, that he certainly would not have risen, if it were not for the disposition which the hon. gentleman evinced to reject the petition. It appeared to him to be of very little importance who might or might not be the drawer up of that petition. And it would be most extraordinary, if, on a mere statement of the kind which the hon. gentleman had made to the House—a statement which he doubtless had received from some persons connected with the transaction—it should be decided, as a matter of course, that there was no ground for this complaint, which described an outrage affecting all the inhabitants of the town, and testified by 3,000 of them. It was of a more serious and important nature than the hon. gentleman seemed to suppose. It was indeed so important, that he hoped the House would not only receive the petition now, but would not let it remain long on their table, without instituting some inquiry into the facts. It appeared to him to be a subject of such magnitude, that he thought he should be hardly doing his duty to the country, if he did not call for an inquiry into the matters which that petition disclosed. He thought it was impossible for them to reject this petition, without any reason of any kind being given for such a proceeding—without even knowing the matter which it contained—merely from the statement of an hon. gentleman. When they were informed that the most weak and defenceless part of the community had attacked men who always had the power to overbear those whom they disliked, and who always, more particularly under the existing circumstances of the country, felt a strong inclination to use that power, they should listen to the assertion cautiously, and abstain from rejecting the petition on such a statement.

The *Chancellor of the Exchequer* had

no doubt of the truth of the statement made by his hon. friend, but still he thought it would be wrong to reject the petition in the first instance. The petition ought, in his opinion, to be received; but whether any further proceeding should be adopted respecting it, was a matter for future consideration.

Mr. *Bootle Wilbraham* hoped that the motion of the hon. presenter would be agreed to; but in so desiring his object was different from that of the hon. baronet. He viewed the subject in a light very different from that in which the hon. baronet saw it. He wished the allegations of the petition should be known and canvassed, because he believed that the more they were known and canvassed, the less ground would there appear for the complaint. He believed the hon. gentleman (Mr. Clive) had stated the facts as they really were, and he trusted that the whole matter would go fairly before the public. They would be enabled to judge, from the reading of the petition, whether there was any good cause of complaint on the part of those individuals; and therefore he hoped the petition would be received.

Mr. *H. Clive* said, he did not think there was any good ground for the complaint, and he had, under that impression, opposed the petition in the first instance.

Lord *Milton* said, that the statement of the hon. gentleman opposite, and the sort of opposition the petition had met with, were, he conceived, most unfortunate. He could not help thinking, that those who made such statements, and offered such opposition, were consulting their feelings and passions, rather than their justice and discretion. Whether the statement of the hon. gentleman behind him, or that of the hon. secretary opposite, were the true one, mattered nothing. The complaint was of too grave and serious a nature not to call for the consideration of the House. He was surprised to hear the hon. member declare that he wished the petition to be received, with a view different from that of the hon. baronet, because it was a complaint which, when it had undergone investigation, would appear to be groundless. Investigation was all that was demanded; and he trusted it would be pursued further than a mere debate in that House. It was not the statement of one gentleman or of another—it was not what might occur in conversation, or in debate, that could satisfy the justice of the case, which could only be met by that sort of investigation and inquiry which would bring the country to a real understanding of its merits.

The petition was brought up and read. On the motion that it should lie on the table,

Mr. *B. Wilbraham* said, that having expressed his anxiety that the subject should be thoroughly investigated, in consequence of the various matters that had come to his knowledge with respect to it, he wished, in order to guard himself from the charge of inconsistency, to state, that now, having heard the petition read, he was of opinion that the allegations which it contained were not a fit subject for parliamentary inquiry.

Lord *Milton* was unequivocally of opinion, that if a portion of the people had suffered any grievance for which the House could afford a remedy, it was their duty to investigate its nature.

Ordered to be printed.

COMMERCIAL DISTRESS—PETITION FROM BIRMINGHAM.] Mr. *Dugdale* rose to present a petition from the manufacturers and traders of Birmingham, stating the distress which prevailed in that town in consequence of the stagnation of trade. The petitioners observed, that the distress and inconvenience under which they laboured had existed for a considerable time, and would, they were afraid, go on increasing, unless some effectual remedy were found. They did not pretend to point out any remedy, but they seriously hoped that this House would institute a solemn inquiry into the causes of the prevailing distress. After what had occurred on a former evening he would not trouble the House with the details connected with this subject; but he believed that the account of the distress contained in the petition was not at all exaggerated. He had received statements from various sources, all concurring in the magnitude of the distress which at present existed—a fact that was farther proved by the increase of the poor-rates in that quarter. There never was, he thought, a case that required more decidedly the interference of parliament; and he trusted that, if any means could be devised for alleviating the sufferings of the people, that relief and that assistance would be rendered them as speedily as possible.

Mr. *Brougham* said, that the petition was very numerously signed, and he believed a more respectable body of men did not exist than those whose complaints were now before the House. They were not persons connected with any particular political party; amongst them were to be found some who took one side in politics —some who took another. They were indeed the most respectable, and the most worthy of the attention of that House, of any of the members of the community to which they belonged. He was exceedingly anxious to support the motion, that they should have a hearing. But he could not help stating his own feeling, as he had done before the last recess, that a compliance with the prayer of their petition was not likely to be attended with any beneficial result. Not that he had the smallest kind of doubt of the facts stated in the petition; not that he did not believe that the distress of which they complained was deeply and widely spread over that district (he wished he was not justified in adding, that it extended also over all the rest of the country; but because, from marking the course of such a proceeding, he had come to an opinion which was firmly rooted in his mind—that a parliamentary inquiry instituted in that House, with a view to revising, altering, and amending commercial or agricultural concerns, was by no means the best mode that could be adopted for attaining the desired object. He conceived that ministers themselves, by their means of information, by the remedies which they might recommend to parliament, and which, above all, they could support by their influence, were the persons who should devise measures of this description. They presented the only rational means of affording substantial relief; and he was sorry to be obliged to add, that the present administration, from the view which they appeared to have taken with respect to the agricultural and commercial interest, and, indeed, with reference to every thing they had done on those great questions of political economy, were not very likely to go into an inquiry of this kind in such a spirit as the exigency of the times demanded. He must also add, if they did proceed to this inquiry, that the country must feel, looking to all their acts, and to the degree of confidence which they enjoyed, that they were not precisely that sort of government who could, with a reasonable prospect of success, undertake the alteration and revision of the system which prevailed. This sentiment he had formerly expressed, as many gentlemen present must recollect; and he would now state, that nothing had since occurred to shake or alter his opinion. He had then observed on the state of the administration; and in the sentiments he spoke he had no idea of giving one set of men, an advantage over another. He thought then, and he thought now, that no one party in that House was at present sufficient to form an administration that could meet the situation of the country, and give confidence to the people.

Mr. *Spooner*, knowing the distress which the industrious manufacturers of Birmingham laboured under, claimed the attention of the House while he offered a few observations. He meant when he came into the House to enter into a detailed statement of the distresses which prevailed in the country; but having heard what was said by the hon. member for Chichester, and the House appearing to feel with him the inconvenience of partial debates on such important subjects, he had come to a determination not to pursue the course he originally intended, and to that determination he would have adhered if it had not been for the most extraordinary reason which the learned member had just given to induce the House not to proceed with an inquiry. The learned gentleman had stated, that there was not any party in that House fit to form an administration. This point, he begged to observe, never entered the minds of the petitioners when they represented their grievances to parliament, in the only constitutional way which was open to them. He hoped, therefore, the House would agree with him, that the reason given by the learned member was not sufficient to induce them to refuse the prayer of the petition—namely, to enter into full, deliberate, and solemn inquiry, as to the distressed state of the town and neighbourhood of Birmingham. He was sorry to hear the learned member say, that an inquiry so instituted would be of no use. He should feel deeply grieved if the opinion of the country agreed with that of the learned gentleman. For his own part, he relied with confidence on the wisdom of that House, and so likewise did the petitioners. They looked to parliament for assistance in this emergency, and he trusted they would not be deceived in their hopes. He would now, with the leave of the House, state a few facts which he had received from the neighbourhood of Birmingham, and which would point out the great extent to which the distresses of the manufacturers had gone. It would be recollected that the year 1816 was a year of peculiar distress. During the first four months of that year the sum paid for the relief of the poor was 5,857*l.*, and the sum paid in the corresponding months of the present year was 10,843*l.* He requested the House likewise to bear in mind the difference in the price of commodities in 1816, and at the present moment. They would then form something of an adequate idea of the increasing distress and misery to which the population of Birmingham and its neighbourhood had been reduced. There was another striking fact which also tended to prove the extent of that distress. He alluded to the consumption of animal food in that district; and here he would press on the minds of those who were anxious to bring the interests of the agriculturists before the House that those interests, and the interests of the manufacturer, were intimately combined. In the first four months of the year 1818 the slaughter of animals for the supply of the town of Birmingham amounted to 5,147 beasts, including cows and oxen. In the corresponding four months of the present year the number of cattle slaughtered was 2,783. This circumstance, he hoped, would have its full weight on those who imagined that they could procure high prices for agricultural produce without giving to the manufacturer the means of purchasing it. The diminution in the slaughter of sheep bore the same proportion to that of cattle. In the first four months of 1818, the number of sheep slaughtered was 11,479, and in the corresponding four months of the present year it was reduced to 8,216. As to the causes of this distress, or the remedy which should be applied to it, he would say nothing. But he believed the House would find that the circumstances which injured the manufacturers operated equally in reducing the agricultural interest to that deep distress which was so universally felt. He begged to state one more fact, which was contained in a letter which he had received that morning; but, before he read it, he would observe that he did not mean to urge it as a motive to induce the House to enter into this inquiry. When he introduced it to the House, he must accompany it with this remark, that he feared the unfortunate persons to whom the letter referred had taken the least likely way to interest the House in their cause. The letter stated that "the nailors about Haleys-owen, Stourbridge, &c. are riotting, and mobbing. They left their work on Monday last, and the colliers and iron-workers have joined them." He did not on account of this violence recommend the situation of these people to the notice of the House, who had certainly adopted the most improper course that could be pursued; but he did entreat gentlemen to consider what the consequence would be if they followed the advice of the learned member, and turned a deaf ear to those petitioners, who came before them in the only constitutional way, who requested their attention, and humbly called for that remedy which it was alone in the power of the House to grant.

Mr. *Brougham*, in explanation, said, he had a right to complain of two misrepresentations which the hon. gentleman had made of his speech. He had in two instances wholly mistaken him. The hon. gentleman had talked as if he had said, that no party in that House could form a ministry. He had not stated any such thing. What he had said was, that the exigencies of the state at this moment called for most important measures; and that no ordinary ministry could meet that task satisfactorily, which could alone be effected by a ministry so constituted as to conciliate the whole country. In the second place, he never had called on the House to turn a deaf ear to the petitioners. He had said the very reverse. He had called on the House to turn their ear to them, with the assistance of those who possessed great influence, and who could carry such measures as they thought fit—he meant his majesty's government. Let the petition be brought up; let it be laid on the table; and he hoped it would lead his majesty's ministers to institute an inquiry on the subject.

Mr. *Spooner*, in explanation, said, that he had merely alluded to the observations of the learned gentleman, with respect to the formation of an efficient administration, as a matter that had not at all entered the contemplation of the petitioners when they addressed the House.

Ordered to lie on the table.

Civil List Bill.] On the order of the day for the second reading of this bill,

Sir *R. Heron* said, he could not help expressing his gratitude to ministers for the forbearance they had manifested on this occasion. His majesty had in his speech from the throne, been graciously pleased to recommend economy. The distresses of the country loudly called for its adoption. The country was in such a situation, that it could with difficulty pay the interest of the national debt. And, under all these circumstances, what was the forbearance of ministers? Why, they simply contented themselves with fixing the civil list at the highest rate at which it had ever been—at a rate at which it stood when money was three times more plentiful than it was at this moment. They would have better consulted both the dignity of the Crown and the situation of the country, had they commenced a system of economy in that quarter where it could be enforced with so little comparative inconvenience. He feared that the ominous mention of the word "economy," in the royal speech, was only for the purpose of dispensing with it in practice. If this was so, ministers were responsible, and deserved the just indignation of the country [Hear!].

The bill was then read a second time. On the question that it be committed on Monday,

Mr. *Hume* rose to enter his protest against the proceedings of ministers. He did not do so on the grounds which the hon. baronet had stated, because he was not prepared to say, that, if the expenditure of the household for the last five years were laid before parliament, the amount would appear to have been extravagant. If any thing could induce ministers to lay full information on the table of the House, before any money was voted, the statements made by an hon. gentleman on this side of the House, and by another hon. member on that side of the House, representing the difficulties and distress of the country, ought to have that effect. Yet ministers came forward and called upon the House to vote 850,000*l.* without one tittle of information, from 1815 to that hour. In this conduct his majesty's ministers were inconsistent with themselves. They now refused what they had granted up to 1815. Why not lay accounts before the House up to 1820, as they had done up to 1815? It was said, indeed, there was not time to get the accounts printed. Yet what had they done? They had printed accounts of all the expenses of the civil list. He complained, then, because the household charges were not given distinct from the other charges of the civil list; he complained, because the hereditary revenues were not distinguished from the other revenues of the Crown. A committee of the House would simplify all those accounts and charges, and render them intelligible to that House and to the public. He supposed the amount for his majesty's household was 450,000*l.*, unless that which formed an important part in every gentleman's household in the country was left out. Every man's wife occasioned a part, and an important part, in the expenses of his household. The queen, then, he supposed, would have her expenses as part of the household. But by this mode of proceeding now, at the commencement of a reign, the civil list would continue throughout the reign (which he hoped would be a long one) perplexed and mystified. The right hon. gentleman had said, that ministers had a right to apply the surplus of one class of the civil list to make up the deficiency of any other class. Now, this right was inconsistent with three acts of parliament. One was Mr. Burke's, which prescribed a certain age for ambassadors. Another was by a right hon. gentleman on the floor, and enacted that no ambassador should have a salary exceeding 2,000*l.*, per annum, nor that salary till he was 35 years of age. If accounts of the ambassadors and their salaries were not laid before the House, how could the object of those acts be answered? But the 56th of Geo. 3rd, ch. 4, enacted, that the surplus of the third class should be carried into the consolidated fund. If, then, ministers had the right of applying the surplus of one class to the deficiency of another, or if full and regular accounts were not laid before that House, how could the House exercise the control which those acts required? It might be said, that ministers attended to the provisions of those acts; but was he clear that they really did attend to them? From the year 1756 every civil list act had been violated. His majesty's ministers had judged extremely ill in giving no account, at least of the third class. He could only express his regret that concealment was thus adopted and acted upon, instead of a candid and fair declaration of all the charges and items.

The country would suspect from this, as he really was disposed to suspect, that there was some grounds for this concealment. Whether he could prove that there were grounds or not, millions in the country could not be persuaded that there were not grounds for concealment. There were many items which were not explained, though they ought to be explained. He would mention, for instance, that of plate given to several individuals. It might be right, but the House had no means of judging that it was so. The House knew not why services of plate should have been given to lord Jocelyn, the marquis of Winchester, lord Yarmouth, or Mr. Canning. He presumed it was for some good reasons. But why services of plate—no, pieces of plate—for 3,000*l.* to Mr. Canning would only buy a piece of plate, he supposed—why those pieces of plate had been given was unknown to the House. He was one who deprecated, who dreaded secrecy and seclusion; and he would not cease to think that things were not all right, till a fair and manly avowal of all should be made to that House.

The *Chancellor of the Exchequer* said, that the surplus of the third class had regularly been carried to the consolidated fund, and the accounts of the consolidated fund uniformly accounted for every such surplus. To that fund he referred the hon. gentleman for an account of this part of the civil list. A few days ago an order had been made for an account of all pensions, including the pensions to which the hon. gentleman had alluded. This account would soon be laid before the House. Plate was usually given where official situations required greater display and splendor than the salary could afford. In general, presents of this kind were very moderate, and below the amount which the station of those to whom they were made might seem to require. Since the year 1816 services of plate had been given to all ambassadors to foreign courts, in order to enable them to support the dignity and splendor of representatives of the sovereign.

The bill was ordered to be committed on Monday.

HOUSE OF COMMONS.

Monday, May 15.

Western Union Canal Bill.] Mr. *C. Dundas* moved the second reading of this bill.

Mr. *Bright* seconded the motion, and contended that it must prove eminently advantageous to the trade and navigation of the Thames, as well as to those parts of the country through which the intended canal was to flow.

Mr. *Smith* moved that the bill be read a second time that day six months.

Mr. Alderman *Wood* remarked that the sheriffs of London were in waiting with a petition against it, and professed his own opinion that the undertaking could lead to no other end than a sacrifice of capital on the part of those who embarked in it.

Mr. *Lyttleton* condemned the proposed measure, as a gross violation of private property.

Mr. *Baring* thought generally, that such undertakings were productive of benefit to the country, and that they ought to be patronised. He could see no reason to prevent the House from considering the present measure.

Lord *F. Osborn* was of opinion that the good expected from the projected undertaking was not sufficiently extensive to induce the House to interfere with private property.

Lord *Nugent* was in favour of going into the committee. He did not think that the interests of the persons complaining would be materially affected by this bill; and such being the case, the House had a right to consider the public advantages that were likely to be derived from it.

Mr. *Philips* was of opinion, that the arguments in favour of going into the committee greatly outweighed those that were adduced against that proceeding.

Mr. *P. Moore* observed, that those who were favourable to this measure had given up the idea of making a cut to Eton; but still the canal would come within one mile of that college, and very great inconvenience would be the consequence of its approaching a place where a great number of young persons received their education. A very unpleasant intercourse, prejudicial to the morals and manners of the students, would be the result. The provost and fellows of Eton had also a wharf, which produced a considerable profit; and they were of opinion that the advantages which they derived from that wharf would be lost if the canal were formed.

Mr Alderman *Heygate* said, that the public advantage, and not private interest should be consulted in a case of this kind. He thought the bill ought to go to a committee, where it would be properly examined, and rejected, if good grounds were not adduced for carrying it into effect. It should also be recollected, that this project had been in agitation for upwards of thirty years.

Mr. *Cripps* said, it had been stated that the city of London laid out large sums of money in improving the navigation of the Thames. If so, they had expended it to very little purpose; for goods were now six weeks, and even two months going down to that part of the country where he resided. He would oppose a canal projected for mere speculative purposes, but he would support a measure which was likely to be so beneficial as the present.

Mr. *Bennet* said, the city of London had not improvidently lavished their money in improving the navigation of the Thames. That part which was under their jurisdiction was very much improved.

Mr. *Hart Davies* said, the projected canal would be a work of great public benefit. If they went into the committee, it would be found that the landholders were favourable to it.

Mr. *Ascot* observed, that every person who traded between London and Bristol would be benefitted by the formation of the canal.

The House then divided: Ayes, 169; Noes, 136.—Majority, 33. The bill was then ordered to be committed.

OLDHAM.] Sir *F. Burdett* gave notice that he should bring forward a motion for inquiry into the late transactions at Oldham.

BARONS OF THE EXCHEQUER IN SCOTLAND.] Lord *Archibald Hamilton* rose, in pursuance of notice, to move for a copy of the late appointment of a fourth Baron of the Exchequer in Scotland, in opposition to the recommendation of the commissioners, who recommended the abolition of the office. It was unnecessary for him, on the present occasion, to make any preface on the importance of the motion with which he meant to conclude. The importance of the subject in the present condition of the country, and in the present state of public feeling, must be generally allowed. If it had been necessary to excite attention to the discussion, and to preface his motion with observations on its importance, it would have been very easy to find the matter of them, in the circumstances of distress under which all classes laboured, and in the suspicion attached to the House of not sympathizing with that distress, or attending to the dictates of economy. But however it might have been necessary to have bespoken attention at other times by preliminary remarks on the importance of the subject, he did not feel himself under the necessity of doing so now. He could likewise assure the House, that if any subject of economy was ever rendered of greater consequence by collateral and connected consideration than it was by its own essential qualities or individual merits, it was the present. When he first mentioned the appointment, he was not aware of the extent to which it would implicate the opinions of parties unconnected with the government. He did not know that the noble lord opposite, or the learned lord would have involved the judges of Scotland in their decision; but, on his giving notice of the present motion, the learned lord had moved for a paper which not only implicated himself, but high legal characters. Before he discussed the contents of this paper, he wished to make a few preliminary observations on the time and circumstances in which this question came before the House. It was now six years since his right hon. friend, the member for Waterford, commenced his exertions for an inquiry into the courts of justice, with a view to their improvement. His motion for the appointment of commissioners for that purpose was made and agreed to in 1814. Now it would scarcely be believed, that after the lapse of six years not one arrangement was made for carrying into effect the recommendation of the commissioners. The first report from the commissioners was made in 1815. The report giving an account of the court of exchequer in Scotland, called the sixth report, was laid upon the table last year, and two other reports had been since presented, but nothing had been done by government in conformity with the suggestions of any one of these documents. It would doubtless appear extraordinary, and almost incredible, that the first occurrence consequent on the labours of the commissioners was a measure, not to carry into effect their recommendations, but contrary to their expressed opinion, and opposed to the sense of the country. He had moved for, and obtained, a paper last year, which was of little consequence at the time, but which was now of great importance, as it would show the futility of the grounds on which the defence of the present measure rested, and the absolute nothingness of the excuse set up by the learned lord. It would be recollected that the duty imposed on the commissioners was, to inquire into defects or abuses, and to suggest improvements. It was no fault of theirs that nothing was done in consequence of their suggestions. He likewise disclaimed all personal allusion to the learned lord, while he pointed out the authors of the neglect. The learned lord had not been long in office, and he entirely acquitted him of all blame, while he could neither acquit the ministers nor the predecessor of the learned lord. He would now come to the recommendation in the report of last year which referred to the appointment that was the subject of his motion. The commissioners thus expressed themselves—"We think it our duty here to express our opinion that the provisions made in respect to an English baron are no longer essential or requisite. With the exception of one of our number, we concur in thinking that five barons are one more than necessary, and that the business of the exchequer might be conducted with equal advantage by four, as in the court of exchequer in England, and without adding to the duties and labour of those judges." After showing the grounds of this opinion he would conclude with proposing a resolution that the House do agree with the commissioners. If, after this, the House not only sanctioned the appointment of a fourth baron, but approved of the "breathless haste" with which ministers filled up the vacancy (that epithet might be applied to other parts of their conduct as well as to their military operations); the public ought to save the expense of the commissioners: the commissioners might save themselves the trouble of making reports, and parliament, instead of listening to motions or instituting inquiries, ought implicitly to rely on ministers for the result of their good intentions or wise deliberations. It appeared to him ludicrous to stand up in his place to argue against the necessity of having five barons of the exchequer for Scotland; and if it were not that the House sometimes came to extraordinary decisions, he should not have thought that he ought to expose himself to the ridicule of such a task. The proposition which he found it incumbent on him to combat could be compared in absurdity or ludicrous character to nothing but the celebrated finance resolutions of the right hon. the chancellor of the exchequer, declaring that a bank-note and a shilling were of equal value with a guinea, when a guinea could be sold for twenty-six shillings. Here he begged leave to remark, that when he spoke of a fourth baron he meant a fourth puisne baron, and did not mean to object to a fourth, including the chief baron. His objection lay to five barons, and not to four. It was the fifth appointment of which the commissioners recommended the abolition; and if the House did not concur in their recommendation, the eight reports which they had already presented would be useless paper, and parliament would neither do its duty by them nor by the country. He would now state the duty of the barons, and he begged it to be observed that the account was not that of an enemy, but was supplied by these judges themselves. They stated, as was to be found in the 10th page of the sixth report of the commissioners, that there were four terms; one beginning on the 24th of November, and terminating on the 20th of December: another beginning on the 15th of January, and ending on the 3rd of February; a third beginning on the 12th of May, and ending on the 2nd of June; and a fourth beginning on the 17th of June, and ending on the 5th of July; making on the whole 65 or 66 days in the year. But the court of course did not meet on Sunday, nor usually on Monday, except it was the first or the last day of term. Thus, then, the barons were not employed in their judicial duties more than two months in the year, and this, be it remembered, was their own account of their employment. The average number of causes set down for trial did not exceed a hundred. The barons certainly likewise acted as a board of treasury, and the average number of petitions, memorials, and other applications disposed of by them in that capacity amounted to 1,300. But in point of practice the disposal of this part of the business belonged to the remembrancer; it was their duty only to transmit these memorials to him—to order him to make out his report, of which they disapproved or approved. When the remembrancer, or rather the deputy remembrancer to whom the memorials were eventually referred, had made his report, and the barons had given their approbation or disapprobation their labour was at an end. Now, he would beg leave to contrast the duties which the barons of the court of exchequer in Scotland thus performed with the duties performed by the barons of the court of exchequer in England. The barons of the exchequer court in England went the circuit: the barons of the exchequer court in Scotland performed no part of this duty. The court of exchequer in England performed the duties of a court of equity; in Scotland no such duty devolved upon the barons. In England, other suitors could apply to the court of exchequer besides the suitors of the Crown; in Scotland only the suitors of the Crown. The barons of England took their turn at the Old Bailey, and performed other parts in the administration of justice; in Scotland they had no similar labour. In England the barons had to decide on private bills referred to them from parliament; in Scotland they had to do nothing similar. There could, therefore be no comparison between the labour performed by the four barons of the court of exchequer in England and the five of Scotland. But if any thing was required to place this in a stronger light, it would be the fact, that they only were required to occupy sixty days in the year in the performance of their judicial duties. The treasury business they performed, as he had mentioned, by deputy; so then, five barons of the court of exchequer of Scotland were not required to execute one-half of the duties which were performed by four in England. He particularly wished to state, and he would pledge himself for the truth of the statement, because he had his information from the best authority, that the 1,300 cases referred to the barons as a board of treasury, were decided as to all the labour of decision by deputy. The deputy of the remembrancer was in this respect in fact the court of exchequer. He performed the whole business, and left only to the barons the approval or the disapproval of his report. Now he would beg to know, as connected with this subject, what was the opinion entertained of the appointment of the present chief baron of the exchequer (the late attorney-general of England, sir Samuel Shepherd.) Did he consider himself, or was he considered by his friends, as going to perform a laborious duty, or going to fill an easy situation, if not a sinecure office? If any thing more was requisite to show the small task of the barons, he would appeal to the fact, that the late chief baron (the right hon. Robert Dundas) held his office three years, while he never appeared in court; that he had been in Italy two of those years from bad health and that when he returned he was unable to attend to business. Nay, he could give another proof of the almost sinecure nature of the appointment. The present lord high commissioner of the jury court of Scotland, though almost unacquainted with the laws of Scotland, and going down to establish a new court, and to perform the laborious duties of a new appointment was yet able to execute the functions of a baron of the exchequer in addition to his other avocations. Was not this a plain evidence that he looked to the appointment of a baron of the exchequer as an addition to his emoluments, and not as a great addition to his labour? The labour was to be performed in his other appointment, and the 2,000*l.* of salary thrown in as baron of the exchequer was to repay that labour. He asked if this was not the impression of the House, and of the public, among whom the question was understood? He might add another proof of the insignificant portion of judicial duties, that devolved upon the baron of the exchequer. When the business of the court of Session had so increased as to be in arrear, it was proposed to detach from it its jurisdiction as a court of tiends and to devolve it upon the exchequer. This proposition had frequently been made; and the reason why it was not carried into effect made as much for his argument as the proposition itself. That reason was, that the barons of the exchequer were not so well acquainted with the laws of tiends as to be able to execute the duties of that court. He would state another fact, which showed the general impression entertained of the small extent of labour imposed upon the barons of the exchequer. When it was proposed, in the last parliament, to grant retired pensions to the judges, it was contended by some hon. members, that such pensions ought not to be allowed to the barons of the exchequer, as they were already in a state of retirement. He would call the attention of hon. members to another fact, if any statement of fact could influence their votes, and with that fact he would allow the case to go to a jury, if he were addressing a jury upon the subject, that the late lord chief baron Dundas had held his appointment when he travelled in Italy, and when he could no more perform its duties than the door-keeper of the House. If a chief baron could be spared three years from his duty, why might not the services of one of the junior barons be dispensed with? He did not say this for the purpose of bringing any discredit on the courts; this was not a time to bring the venerable institutions of the country into disrespect; and if any attempt should be made to bring this odium upon him, he would only bespeak the indulgence of the House, while he could not refrain from denouncing a scandalous appointment, alike injurious to the character of parliament and to the credit of the courts of justice. There never was a time when the tribunals of the country should more be held up to public respect and reverence than now; and he was happy to say that they had lately acquitted themselves so as to increase that respect and reverence, by their persevering patience of investigation and impartiality of decision. But he would again ask, if the head of a court could be absent for several years, why such "breathless haste" in filling up the appointment of one of the puisne barons, before the subject had been discussed in parliament, and the recommendation of the commissioners taken into consideration? In the report it was stated, that the commissioners had agreed, with only one dissentient voice, to recommend the abolition of the office of fourth baron. That dissentient voice was sir Iley Campbell, who was at the head of the commission. It would be remembered, that at the time of the appointment of the commission, an objection was made to appoint him, on the ground that every thing which had been done regarding appointments to the courts of justice of Scotland for the last half a century was done by his advice. It was thence argued, that, without any imputation on his personal character, he could not be relied upon in deciding on appointments which he had recommended. He (lord A. Hamilton) when he heard of a dissentient voice would rather have wished that it were sir Iley Campbell than any other person in Scotland, because from the peculiarity of his situation his vote would carry less weight than that of any other individual. To show the character of the late transaction, he would ask, without meaning any personal imputation, who was the person that had been appointed? Was sir P. Murray known as a lawyer? No. Had he been in practice as a lawyer for the last twenty years? No. He might have put on the gown, but he seldom or never appeared in court, and had never had any business. What one circumstance, therefore, but patronage, could have led to his appointment? Sir P. Murray had been remembrancer of the court to which he was now appointed one of the judges, but he had performed the whole duty by deputy; and if ever he went into the courts, as was fashionable sometimes in Scotland with those who had nothing else to do, his visits were not connected with the exercise of the legal profession. The only public character in which he was known in Scotland was that of having been a troublesome candidate for the county of Perth; there was no better way by which an individual could advance himself in that country. He (lord A. Hamilton) knew something of political contests in the counties of Scotland, and he knew there was no better way to command political advancement, than to get votes in a county, and to turn them in favour of the administration.—No man knew that better than the lord register opposite, whose merriment this observation seemed to excite. He had hoped that the question before the House would have been confined to one between the commissioners and the ministers. He had hoped that ministers would not have implicated in any opinion concerning it the lord advocate and the judges; but, as they had done so, he would state in opposition to them the character of the commissioners who recommended the abolition of the office. There were several among them whose names were so respectable, that he would defy not only the present ministry, but any other, to point out individuals whose opinions or recommendation ought to carry greater weight. The head of the commission was sir Iley Campbell, who by knowledge was perfectly qualified for the duty, but whom he did not conceive as a very proper person to occupy that situation; as, without meaning any disrespect to him, it was well known that he had protected all the abuses that had prevailed for the last fifty years, and might say of them, "quorum pars magni fui." The next name that he found subscribed to the report was that of sir James Montgomery, who had been for many years lord advocate of Scotland. His authority, he did not hesitate to say, weighed as much with him as that of the learned lord, or of the lord register opposite. As giving additional weight to his authority on such a subject, it should be recollected that sir James Montgomery usually supported the present administration. The next commissioner was Mr. Robertson, a Scots advocate, retired from the bar. The next was Mr. Thripland; and the last, though not least, Mr. Glassford, who had written a book on the courts of law of Scotland, in which he had said that the appointments of the exchequer were sources of patronage rather than offices of business. The measure, however, of supplying the vacancy, in opposition to the opinion of the majority of the commissioners, was taken, not for the purpose of preserving an useful office, but of promoting an individual; and the question was not, whether the office of fourth baron ought to be abolished, or given to somebody, but whether it ought to be abolished, or given to sir P. Murray? He would ask that learned lord opposite, if at the time of the vacancy the general conversation in Edinburgh was not to the effect, that a promise had been given that sir P. Murray should be appointed to the office? The learned lord might cavil at the word "promise," but was not the fact so? He came now to the paper which had been produced by the learned lord, containing the alleged opinions of the head of the law courts in Scotland; and he must say that if he had required any justification of his present motion, he should have found it in that paper. He did not mean any disrespect when he said that the paper so produced by the learned lord in vindication of himself was no vindication at all. What was the sum and substance of it? Why, that if one baron was reduced, there would only remain four; and that, in case of being balanced against each other, the court could give no decision; and this was stated in a British House of Commons! In England four judges were found sufficient for the immense and laborious business of each of the courts. Here then the House had not only reason and policy, but long experience in this country, against the appointment of five barons in Scotland; but it might be urged, that when an equality occurred in the courts of this country, there was an ulterior tribunal to be appealed to. If this argument proved any thing, it proved that the number of barons ought to be reduced to three, and not that the unnecessary and expensive establishment of five should exist for the mere purpose of inequality. There was another objection of a general nature, which he would now state, to the ground on which the appointment of a fifth baron had been renewed. It was not fit for the judges of Scotland to be dragged to that House for a political purpose. He could not consider the paper before the House (sir W. Rae's Report against the Discontinuance of one of the Barons of Exchequer, as recommended by the Commissioners on the Courts of Justice in Scotland)—he could not consider that paper as the opinion of the judges. The heads of the courts in Scotland were stated to have concurred in the opinion expressed in the paper. But it was necessary to recollect who the heads of the courts were, and in what situation they had been at the time the report was made. He had formerly moved for the reference to the judges in Scotland, of a report of the commissioners on courts of justice in that country. He should now state his reasons why he not only thought the opinion of the commissioners better than the opinion of the judges, but considered the situation of the judges such as to deprive their opinion of that authority which they individually deserved. He did not know that this paper was meant to be cited as their opinion. It was not signed by them. They had individually given their opinion to the learned lord who signed, but they and the learned lord were subject to a common bias with respect to the commissioners. The judges themselves, and the learned lord, then sheriff of Edinburgh, were reported on by the commissioners. They had not concurred with the commissioners, and the House might trace something of bias and something of hostility in the report which he held in his hand. At least there was one fact that would dispose of their authority as opposed to the recommendation of the commissioners. The report to which he alluded contained as extraordinary a statement as ever fell from the pen or lips of any individual. It had been referred to the judges whether a part of a report made by the commissioners should be acted upon. In the report there had been a recommendation that the duties of the two clerks of bills should be devolved on the principal clerks of Session. This recommendation was referred to the judges for their opinion. The judges said, "We are decidedly of opinion, with the exception of one" (the House would remark that even one of the judges could not concur in this extraordinary opinion), "that the recommendation is highly inexpedient, if not impossible; for the present duty of a principal clerk of Session is sufficient to occupy the whole time and attention of any individual." After the House had heard it thus gravely stated that the situation of principal clerk of Session required the whole time and attention of any individual, would it be believed that Walter Scott was one of the principal clerks of Session? A writer who might well be supposed to have had nothing else to do but to write, was represented as so wholly occupied with the duties of a principal clerk of Session that he could do nothing else. On this ground the judges maintained that the office proposed to be discontinued must be continued. Such an opinion must be scouted from the Land's-end to John o'Groat's. If they could name any thing so ridiculous as the opinion, that he who wrote so much that it appeared incredible he could do any thing else, was so wholly occupied with the duties of principal clerk that it would be inexpedient if not impossible for him to do any thing more, the authority of the judges might be preferred to the recommendation of the commissioners. But if the steady and laborious duty of principal clerk was not so great, the conviction resulting from the fact he had now stated must be either, that ministers were deplorably determined not to get rid of any office, or that some other influence was exercised over them which retained offices of patronage, notwithstanding their pledge to abandon them. After he had thus brought under the consideration of the House the fact, that one of the principal clerks of Session was sir Walter Scott, who had written more than many other men could find time to read, was it possible that they could attend to those who stated that it was "highly inexpedient, if not impossible, for a principal clerk to perform any additional duty?" Either, then, the continuance of the office now in question resulted from the obstinate adherence of ministers to the patronage of office, or it resulted from a power which exerted an influence respecting Scotland unknown to ministers themselves till the public indignation called their attention to it, or till, as now, they found, to their regret, that it had been excited, and they must give some account of their conduct. He did not believe they would have renewed this appointment if they had known the circumstances. He said so, because whatever he thought of ministers in other respects, he could not think them capable of such a *felo de se* as to sanction an appointment which was in direct contradiction to the report of a parliamentary commission, and in flagrant violation of the opinion of the great body of the Scottish people, for such he would maintain to be the case in the present instance. He was afraid that he wearied the House, but he had one remark still to urge upon the attention of the House. The report of the commissioners was not before the House; but he would read a part of it in reference to this question, lest it should be said that the barons were fully occupied with the business of their court. Mr. Gardener was there stated to have acted by deputy; all officers in that court acted by deputy—but the barons, who could not act by deputy. There was an under-treasurer, a remembrancer of the treasurer; and no control was exercised over those officers by the court. "It is obvious, therefore," said the report, "from this statement of the practice, that there is no control over the charges made by the treasurer's remembrancer in this branch of duty, which, in like manner, are wholly paid out of the public revenue. His accounts are never laid before the barons, nor revised by any officer of the court. He may charge, and has in fact charged, whatever he thought was a suitable remuneration for his trouble." Rep. p. 24. He was not now arguing whether those were or were not grounds of alteration. But if the barons could be said to be fully occupied in sweeping their court clean, it might be some pretence for continuing so many of them. That pretence it appeared could not be resorted to; there was no court in which there existed more systematic, consistent, and inveterate abuse. He did not find fault as to the individual appointed not being a lawyer, because it was not necessary that he should be a lawyer. He had indeed held an office in that court; but he too had acted by deputy. That office had not been reported on, but when reported on, it would be found as fit to be abolished as this of fifth baron. He would not continue to occupy the attention of the House, as there were many gentlemen around him fitter for explaining and enforcing the arguments which the question suggested. But one thing he would again say, that it was not proper to have brought the judges of the land before that House in this case. Ministers had certainly a right to take their opinion, but they ought to have subjected them to the odium of acting upon it in that House—they ought not to have made the judges subject to the observations which he had felt it his duty to make, and which other members must make. As to their authority, he could put it to the House whether, after what he had mentioned with respect to sir Walter Scott, and their statement of the laborious duty of principal clerk of Session, any authority could be attached to their opinion on this subject. The paper containing a report of their opinion did not carry conviction to the people of Scotland; it did not carry conviction to all the judges; it did not, he was assured, carry conviction to the bar. As the paper could not carry conviction, so neither could the vote of that House, if a vote of confirmation, carry conviction to the country. To himself, personally, it was a matter of perfect indifference, but it was a matter of the greatest importance as affecting the character of the country; and the time might soon come, when he should be told of this appointment by persons in the disturbed district with which he was connected, whom he might be called upon to repress. With what consistency could he, as deputy lieutenant or justice of the peace, put down at the point of the sword those whom distress had goaded to madness, and who from time to time were outraged by acts of this kind, committed, he was afraid from their repetition, without compunction? He could do no such thing if the House now sanctioned this abuse by their vote. The learned lord had been lately in that part of the country, and knew the character of the people: many of them, he (lord A. Hamilton) admitted were a disgrace to their country, but numbers of reasoning and intelligent persons were disgusted by acts like these. Public meetings were prevented, but it was a pity that every individual in the land could not express his opinion on this question. If they could not express it in public, they would express their opinion in some other way. He begged pardon for the digression. He was not aware of any answer that could be given on the other side of the House; and he was convinced that a vote confirming the appointment in question would be another item added to those which had already caused such an unfavourable impression respecting that House. He would conclude by moving the following resolution: "That this House do agree with the commissioners appointed for inquiring into the duties, salaries, fees, and emoluments, of the several offices, clerks, and ministers of justice, of the courts in Scotland, in that part of their report relative to the court of Exchequer, in which their opinion is expressed in the following words:—'That five barons are more 'than necessary, and that the business of 'the Exchequer might be conducted with 'equal advantage by four, as in the court 'of Exchequer in England, and without 'adding materially to the duties and labour of those judges.'"

The *Lord Advocate* expressed a hope, that whatever might be thought of the merit of the opinion, which appeared from him, in the paper on the table, the House would do him the justice to believe that that opinion was his genuine and conscientious impression; and he trusted that the same credit would be given to those great authorities with whom he had the honour to concur, and who were best qualified to judge upon the subject. Whether the report on the table was true or not, he was certainly responsible for it. If he erred, he erred with those who were best qualified to give a judicial opinion in that country. The opinion in that report was founded on a due consideration of the national contract at the union of the two countries—an union which had proved satisfactory to the people, and promoted the interests of that part of the country, for more than a century. That contract was not to be wantonly broken in upon. This was the substance of the report. If any change should be made, it ought to be the result of deep deliberation, and till that deliberation could be bestowed on the subject, the numbers of the judges ought not to be reduced. The appointment now in question was known to have arisen from the circumstance that one of the barons had found his duties in the court of Exchequer incompatible with his duties as chief commissioner of the jury court. The jury court had been lately introduced into Scotland. No new judges had been appointed for this court, in order that, if the experiment should be found unsatisfactory, the judges might remain as they had been before. The institution was experimental in its origin, and no causes could come under its view without the consent of the court of Session, who must have heard all causes in the first instance, and to whom the causes directed to be tried in the jury court, must return, after the verdict, for the execution of the law. The jury court had not been introduced at the request of the people, whose prejudices were all against it, and in favour of their own strange system, for strange it must have appeared in this country. The success of the institution was owing to the zeal, talent, good management, and judgment of the judge at the head of it (chief commissioner Adam). He had soon found that much alteration was necessary, and got several alterations effected by an act of parliament, which gave him no emolument, and occasioned much inconvenience to him, but which contributed to promote the objects of the institution. By this act many causes were brought, in the first instance, into that court; issues were drawn in that court, and other powers were conferred of a similar nature. The immensity of duty thus devolved on the head of the jury court required his undivided attention, and made it impossible for him to attend in any other court. The other judges were the most distinguished judges of Session, and performed more business in that court than any other judges, and they were besides judges of justiciary [Cheers from the Opposition]. He saw the object of those cheers, but it would be removed when he stated that it was impossible for those judges to devote their time to the jury court, and the whole business of that court consequently devolved upon the chief commissioner who consequently resigned his office in the court of exchequer in November last. Government were charged with breathless haste in filling up this office, yet it was manifest there had been no such haste. They had taken the opinion of those who were most unprejudiced on the subject, and able to give the best information and the best advice respecting it. The people of Scotland had certainly a right to consider the institutions of that part of the country their own, and to expect that they would not be altered without deep and correct consideration. The office was accordingly filled up in March last. Two meetings of that House had in the mean time taken place without any mention of the subject, though some allusions had been made to it in June last. He would here make some remarks in reply to the allusion to the individual appointed, although he had not expected that allusion, and although it was foreign to the question. He had no particular connection with the appointment of the individual, but he would state reasons that fully justified the government in the selection they had made. An individual better fitted for the office they could not have found. He had held the office of principal remembrancer in the court of Exchequer from the year 1799 till last year, except one year that he held an office in London. He was by this means better fitted both for the ministerial and judicial functions of a baron than he could have been by the longest practice as an advocate in the courts of justice. As the English law was the law of the court of exchequer, a barrister had to learn all the forms and rules of the court when appointed to preside in it as one of the barons. The noble lord had said, that sir P. Murray had performed his office by deputy, but he (the lord advocate) knew that he had performed it personally, since 1799, till last year, except the year that he had an office in London. Nor was such an appointment of an inferior officer without precedent, for Mr. Baron Moncrieff had been deputy king's remembrancer for 25 years before he was appointed one of the barons. In England, too, there had been a similar appointment, for Mr. Baron Perrott (if he was not mistaken in the name) had been an officer in the court of Exchequer before he had been appointed a baron. Another remark he begged leave to make here, respecting the selection of the individual. By his appointment a very considerable saving was occasioned, because the office of king's remembrancer ceased, on its becoming vacant, in consequence of the act introduced by an hon. member on the floor. The saving hence arising amounted to one half the salary of one of the barons of Exchequer. This had no connection with the present question, but it was not immaterial to mention it, in reference to the observations of the noble lord respecting the state of the country, and the necessity of economy. It had also been rumoured, although the noble lord had not stated it, that some pledge had been given not to renew the appointment of a fifth baron. No pledge of that kind had been given, and no such reason could be urged for the suppression of this office. It had farther been talked of that this was an additional baron. There was equally little reason for this. The number was only continued the same as it had been before the union, and ever since to this day. From the time of Charles 2nd, to the union, the number of judges in the court of Exchequer had been five; and the statute, 6th Anne, enacted that the number should not be fewer than five. He begged pardon: the language of the act was, that the number should not exceed five. He was ready to maintain the correctness of the expression. If the act had said that the number should be five, then, in case of the death or resignation of one, the others could not act till the vacancy should be filled up. If four had been the number the same form of expression would have been used in order to provide for the contingency of the death or resignation of any one of the existing number. Five had been immediately filled up then, and that number continued ever since. Nor was the number without propriety and reason. He might have his prejudices on this subject, but they were honest prejudices, and the prejudices of his country. The Scotch had always been accustomed to 5; the English had always been accustomed to 4; the Scotch preferred 5 according to what they had been accustomed to; the English preferred 4, according to their custom. The court of exchequer in Scotland, had to pass gifts, tutories, and to grant charters of property belonging to the Crown. Various other duties too, were devolved on that court, which required a knowledge of the principles and practice of the English law, as well as of Scotch law. Accordingly, the act of Ann enacted, that two of the barons should be English lawyers. He should be extremely sorry to see the number of English lawyers reduced. The English practice was much better adapted for taking and recording evidence than the Scotch practice. This was a matter of the highest importance certainly, and in this respect he must say, against the bar and his own interests, that the English law was preferable. But the number of three was quite necessary of Scotch lawyers for the very difficult and important duties they had to perform. Those duties were not so light as the noble lord had represented; they had increased greatly, and must continue to increase with the increase and complication of the revenue. He admitted, however, that the barons might do more duty than they had to do, but still their number could not be reduced. Besides the business connected with the revenue, they had other duties to perform, which could not be performed if one of the Scotch barons were discontinued: for if there should be a division of opinion respecting the granting of a charter to an individual, what could be done? It might be of importance to the individual at the moment when an election approached. The noble lord had himself alluded to elections. A judge could give up his opinion where a court of review decided against it: but why should a judge give up his opinion, if an honest and conscientious one, when there was no court of review? The consequence would therefore be, when there was an equal division, that no charter and no tutory would be issued. He could not see how such an evil could be remedied without an inequality of numbers. Other reasons were given in the report, and reasons that had been well weighed before they had been stated. He had understood at that time that the commissioners had wished an English baron to be left out, and the court to be made entirely a Scotch court, for the chief baron was then Scotch. He contended that the commissioners had exceeded their powers, and went entirely out of their way when they reported on the constitution of the court of exchequer. Their instructions were, as stated in their own report, to inquire into the fees, salaries, and emoluments of the several clerks, officers, and ministers of justice. Now, he should be glad to know under which of these heads the "judges" were meant to be included? Not surely under that of "ministers of justice." Had it been meant to include them in this general description, surely they would have been put first, and not named after the clerks: but he had been at some pains to look further into this matter, and begged to call the attention of the House to the words used by the right hon. baronet opposite, the member for Waterford, in his own motion upon the subject of appointing these commissioners: his motion was to the effect that these commissioners should be empowered to inquire into the several fees, emoluments and salaries of the different courts of justice, and "of the officers connected therewith;" in short, that they should conduct inquiries and investigations similar to those which had been made in the years 1664, 1689, 1732, 1757, and 1788. Now the hon. baronet had alluded to every one of these measures as being similar to those which he required to be adopted; and yet he (the lord advocate), after having carefully searched the records of that House, and speaking from the very words of the Journals themselves, could say, without fear of contradiction, that in no one instance had any of those former proceedings gone to that extent which the noble lord now contended for. In 1664, it seemed that the report made contained not one word even upon the subject of the judges. The report of 1809 immediately preceded an act of the House to increase the salary of the judges, and was framed by a commission appointed to inquire into the fees, emoluments, and salaries of the several courts of justice in the united kingdom. And the wording of a former motion of the hon. baronet's embraced the investigation of the perquisites, fees, and emoluments, of the under officers of the courts of justice; but in no shape extended to the judges, or to the constitution of those courts. And who were the persons who were on that occasion considered as fit individuals to report upon these points, and not on the constitution of the courts? Lord Eldon, lord Redesdale, lord Erskine—persons not only deeply skilled and eminently learned in their profession, but in the daily habit of expounding the science they professed. But what was the duty imposed upon those commissioners? That they were to have nothing to do with the constitution of the court into whose fees they were to inquire. And here he could not help remarking, that some observations had fallen from the noble lord relative to a most respectable and amiable person, chief registrar of Scotland; he thought the high character and grey hairs of that venerable individual might have protected him from so unfounded and illiberal an attack, which might have well been spared: they were uncalled for, and he could not help saying they were illiberal.

The *Speaker* interposed. He suggested to the learned lord that no observations which might have been made by any hon. member ought to be called "an unfounded and illiberal attack," and that therefore the learned lord was not in order when he used the term.

The *Lord Advocate* apologized for the expression, and assured the House, he had no intention of giving offence to any honourable member; he was only desirous, when he heard the name of an individual whom he so much respected called into question, that the evening of his life should close with the same consideration which his former conduct had always commanded. But he returned to the consideration of that commission to which he had principally called the attention of the House; and as to the commissioners, with all the respect and esteem which he entertained for them personally, he must say that with the exception of the chief commissioner, he did consider them to be unqualified. One of them, after practising at the bar, went into the country and lived upon his estate, without returning to his practice; another went to India, and, after staying there for some time, returned, and lived almost entirely in the country; and a third, having also practised some time at the bar, retired to his estate, improved the country round it, but never returned to the profession. Such persons might be well qualified to report upon the fees and emoluments of the officers, but not upon the constitution of the court. But he did not rely only on the objection to the competency of these commissioners; he would appeal to the unanimous opinion of those who were most competent to decide; of the lord president, of the lord justice clerk, the lord commissioner of the jury court, above all, he relied on the authority of the lord chief baron, an individual who had gone so lately from this country, after acquiring a thorough and extensive knowledge of the whole body of the laws of these kingdoms, and whose special duty it was, if it were any one's, to say whether an appointment of this nature was or was not necessary. He did not know what authority the chief-baron's name might have there; but certain he was, that in his (the lord advocate's) part of the country, they felt grateful to his majesty's ministers for having sent among them a man whose talents as a judge were not more respected than his virtues as an individual were admired. After attaining to very high honours in his profession, he declined those highest ones to which he might reasonably and certainly have aspired, and, in the discharge of his duty, was willing, at his time of life, to undertake that duty, accompanied as it was with the necessity of forming new connexions, and in a distant part of the kingdom; although the office was of a nature far below that which he might have been entitled to claim. He submitted, then, that unless they were willing to suppose that there was something infectious in the air of Scotland, which had the effect of instantly destroying that character of honour which an individual had sustained through life, it was utterly incredible and impossible that the learned judge in question, when called upon to decide on the constitution of the court over which he was to preside, should have concurred in the propriety of an appointment of which he did not see and feel the necessity: and he the rather alluded to this fact, because he hoped that the chief-baron's opinion would be treated by the noble lord and his friends with that great respect which it deserved; and he could not but trust, that the opinion of such a man, which was only opposed by one sentence in the report of the commission in question, would be final in persuading the House to approve of this measure, even if his majesty's ministers had not done what they had done. He should now call the attention of the House to the two concluding sentences of the report which he had had the honour of making upon this subject:—"Unless, therefore, the whole constitution of the court of exchequer were to be altered—unless that which was settled by mature deliberation at the union, and which has been acted upon ever since, as founded upon, and in pursuance of, national compact, were to undergo a thorough change, it does not appear that it would be expedient or wise to diminish this number of barons. If a thorough alteration in the constitution of the court were proposed, it would require the most mature consideration, and most serious and cautious deliberation; it must necessarily be a work of time; but, in the interim, it would be fit that the constitution of the court should remain on its present footing, and that the numbers for the performance of its functions should be kept up." According to the noble lord, there appeared to be a wish to avoid the discussion of all remedies proposed upon this subject. Though he would not answer for any proposition which had been made before he (the lord advocate) was appointed to his present office, yet he would say this—that he perfectly well remembered, that the first communications he received from his majesty's ministers were, to prepare acts of parliament for regulating the courts of Session and the Admiralty in Scotland. It would be recollected, perhaps, that he had last session given a notice on this subject, and if any interval had since elapsed without bringing these matters again before their notice. It was not because of any intention to shy inquiry, but because of the delicacy attending the maturing of any measures on so important a subject as those of salaries and compensations. It was enacted by the bills to which he alluded, that certain offices were to be paid out of a particular fee-fund, which was to be formed; but if any deficiencies arose upon it, these were to be supplied by government. It was afterwards found necessary that all such clauses as these should pass through a committee of supply, and for that reason it was not thought proper at the time—the country labouring under very pressing emergencies—to proceed with the bills. Subsequently, it was pretty well known that he had been engaged in the performance of far more important duties than drawing up acts of parliament to regulate the fees, emoluments, and salaries of the officers of courts of justice. He had, however, submitted the bills in question to the gentlemen of the bar, to the best legal practitioners, and, in short, to all the law authorities, by whom they were greatly approved. He was happy to say he had brought them up with him; and he now gave notice that he should in a few days move for leave to bring them in.—And upon this matter he would observe, that when they should be so brought in, there would be an opportunity of fully and fairly discussing any thing which had been done, or was to be done, with regard to the matter at issue; and as to the constitution of the court; whether there should be four or three barons, or more or less. It would then be competent to the House to discuss the expediency, not only of diminishing the number of barons, but of separating their judicial from their ministerial functions, not from their political duties, as it was stated by the noble lord, for he was aware of no political duties which they were called upon to discharge. Whatever propositions might then be to be made, it would be necessary to submit to both Houses of Parliament; nay, Scotland too must be consulted upon the subject, for it was necessary that she should be heard upon the matter. He really begged pardon for detaining the House so long; but there was one more point to be noticed, and he should then have done. It had been stated, that a baron of the exchequer had been absent from the discharge of his duties for three years together. Now he (the lord advocate) would declare, that that baron was never in all his life absent from his duty for more than one year at any time. It had been also said, that he resided the greater part of every year at Bath. True—but he regularly came back to attend his duties as a baron of the exchequer for the term. He presumed that the noble lord had been misinformed upon the case; it was perfectly true that this individual was in a very ill state of health, but that did not prevent him from discharging his duty.

Lord *A. Hamilton*, in explanation, said, that the learned lord seemed to have understood him as using the fact of the absence of the baron of the exchequer, as an "argumentum ad hominem:" but it was with quite a contrary intention. All that he meant to say was, that, judging from the absence of this gentleman for two or three years (a term which the learned lord had corrected, by substituting one year in its place), it appeared that four barons were sufficient for the business of the court.

The *Lord Advocate* remarked, that individuals were always liable to indisposition. He had felt it necessary to make the observations which he had made in justice to the character of a distinguished individual now no more.

Sir *John Newport* contended, that the House were justified in entertaining a distrust of his majesty's ministers upon this subject. Three cabinet ministers had voted in the first instance against the institution of a commission; but such a distrust was further reasonable, because his majesty's ministers had done every thing in their power, first to delay, and afterwards to frustrate the objects of that commission. After the address which was voted had been carried to the foot of the throne, seven months elapsed before any thing was done in the business. At last the commission was appointed; but the learned lord had said that commission had travelled out of its jurisdiction in meddling at all with the constitution of the court, as regarded the judges. Now it so happened that all the commissioners concurred in the opinion of the propriety of such a proceeding, and he believed the learned lord himself was the only person who thought differently. In Ireland similar commissioners had called the judges before them, and even examined them upon oath as to their fees. But there was nothing extraordinary in the circumstance of this commission's having conducted itself in a manner and with views just the reverse of those recommended and entertained by the learned lord himself. Upon the learned lord's statement, those who composed it must have been more than incompetent, for they must have misconceived and misunderstood the first sentence of their instructions. But, was this a position to be argued at this time of day? Many hon. members who sat in the former parliament might remember the opinion on the subject of the abuses existing in the court of Chancery entertained by that great man whose name could never be mentioned without a feeling of respect, and who could never be recollected but with emotions of sorrow for his premature death;—he meant sir Samuel Romilly. A question was put to him by an hon. and learned gentleman, then a master in chancery, who was arguing against the commission proposed by sir S. Romilly to inquire into those abuses but who said, that if only a shadow of abuse existed, he would vote for that commission. Sir Samuel Romilly, in reply, said that great abuses did exist; and upon that statement the hon. and learned gentleman, acting with that candour which he (sir J. Newport) expected from him, did vote for the commission. And what was the conduct of the first law-officer—the first minister of the Crown—in consequence? Why, the House would hardly believe it. The question of inquiry having been carried;—of inquiry into the abuses existing in the chancery court too, two masters in chancery were appointed out of a body of five commissioners. The House had this fact before it; that those commissioners drew up a report upon the chancery courts of England, and in no one instance did they enter into an examination of the subject of fees. As to that great abuse, the expedition-fees in the court of chancery, it was declared that though it might be an abuse, yet that the commission saw no means of remedying it. So again, among the receipts of the secretary to the lord chancellor, there were two sums of 63*l.* and 21*l.*, which were described not as fees, but as gratuities; absolutely as gratuities. Why, then, he repeated that the House was bound to exercise a great degree of suspicion in regard to any proceedings upon the part of his majesty's ministers in reference to such commissions; for as in the first instance, they had been hostile to its appointment, so, in the second they had permitted and repeated the abuses complained of. The learned lord had stated a case in opposition to the opinion which had been expressed by the commission, and had said that the commission had given that opinion without assigning any reason for it. Now it seemed to him that, in the page immediately preceding the declaration of that opinion, they had in fact given a most satisfactory reason for it. They first stated what were the duties of the court; and then went on to observe, that the business of the court was so small as fully to justify the diminution of the number of barons by one. They showed the number of causes, also, in different years. The terms altogether occupied only 85 days of the year: and of those 85 days he was just given to understand by his noble friend Mondays were always days of rest; so that having determined to keep holiday for all the rest of the year, they took out the Mondays also from these 85 days, and kept them as holidays too. Notwithstanding the willingness which in many instances Scotland had manifested to adopt British customs and regulations, she could not yet get rid of this inveterate prejudice for her five barons of the exchequer court. Much had been said as to the ministerial duties of the barons relative to their signatures; but, if during one entire year these signatures could be left unattended to without any serious injury or any great complaint, then surely it was not too much to say that the continuation of such a place was a matter of no necessity. As to a difference of opinion existing between the judges on this subject, that made nothing for or against it. In what court was not such difference occasionally to be found? it pervaded every court. Indeed the learned lord seemed all along to think, because the act of union with Scotland said there should be no more than five barons of the exchequer that they were always bound to have five. But if a justice of peace had a power to fine a man 100*l.* would it be contended that in every instance he should enforce the fine to such an amount? He thought it would have been only decent in ministers to have taken the sense of the House upon the subject, even if it were only in consequence of the difference of opinion that prevailed amongst the judges. It was said the recent appointment received the sanction of the heads of different courts, but why were not the commissioners asked what they had to say? It was clear if they had reported in coincidence with the views of ministers they would have been asked; if they were not asked, their appointment was a mere nullity. If the report before them were set aside, it would be the means of discouraging all future commissioners, deprived as they were of the bare respect of a mere hearing. In short, unless the House supported the commissioners, their future labours would be of very little service. The learned lord had expressed his wonder that no proposition on the subject had originated with his (the Opposition) side of the House; but when he, three years ago, moved that all the reports should be referred to a committee, he was met by the noble lord, who stated, that it would be improper to accede to the motion while a special committee were engaged upon the subject, and before it was proved that the commissioners so appointed had failed in the discharge of their duty. The report was now before the House, and yet it was said it ought not to be received. The learned lord complained of the appointment of the commissioners, but who was to blame for that? The ministers—they appointed them. Nor would their appointment have been censured as it was, if their report had not been adverse to the existing abuses. The authority of sir I. Campbell was also much relied on; but while he was in part an authority for the learned lord, he was on the general question against him. And for the authority of the present chief baron, it should be recollected, that when he gave his opinion he had been only one term at the head of the court, and therefore whatever he might have said, he could not have brought much of experience to the subject. On the whole, if no corresponding benefit resulted from the commission, it was better it should be dissolved, and thereby that so much should be saved to the public. In place of business being on the increase in the court of exchequer in Scotland for a period of 10 years, it would be found to have diminished; from 1815 to 1817 it regularly diminished from 116 causes to 73; although the number of those tried at bar had somewhat increased. But on an average, if the general list of causes was not stationary, it had certainly not increased. With respect to Ireland, it did not seem to be made any question of now that great abuses existed there; and if the House looked at the last report relative to abuses connected with certain offices under the judges in that country, they would find abuses detailed of a monstrous nature. At a future day he should move the consideration of that report; for where so much criminality was proved, it was not sufficient to provide only for the future, but he should suggest that they should look at the past. He should certainly support the resolution proposed by his noble friend.

Lord *Castlereagh* wished shortly to state the reasons which induced him to vote against the noble lord's motion. A report having been made by the commissioners appointed by parliament, that report was referred to the consideration of the chief judges of Scotland, who gave it as their decided opinion, for which opinion the grounds were distinctly stated, that the establishment of the court of exchequer ought to be kept in its full state; and now the noble lord called upon the House without previous inquiry, without any evidence, and without suggesting any facts on his own authority, to come to the conclusion that the constitution of the court of exchequer in Scotland ought to be changed—that that constitution for ages had been faulty—and that the decision of certain commissioners ought to be preferred to the deliberate judgment of the learned heads of all the different courts. Before he stated the reasons why he could not join in opinion with the noble lord, he must be allowed to say a few words (and few they should be, as he was not desirous of diverting the attention of members to any by-battle) on the conduct and motives of government. He did not complain of the hon. baronet for watching over the report, and protecting it with a sort of paternal solicitude; nor should he object to the introduction by him of any direct motion of censure upon ministers if he thought they had deserved it; but he begged the hon. baronet to observe, that if he supposed that, in times like the present, ministers had any other object in view than to redress and reform actual abuses, either in this or in any other court, he imputed to them motives from which they were repelled, not only by every sense of public duty, but by every consideration of private interest. He had charged government with looking only to patronage, with a desire to keep up all the influence of the Crown, as if virtue and purity were only to be found on his side of the House. The noble lord also (who had so often made the mode of voting in Lanarkshire a test of political morality, not only in Scotland but in England) had that night argued as if the only object which his majesty's ministers had in view was the patronage of office. Surely these sweeping assertions tended rather to weaken than to support a good case, for scarcely the most bigotted antagonist of government could be brought to believe that, in this as in other instances they had sacrificed the public interest to some paltry views of power and patronage. However, this sort of reasoning was not at all new to the side of the House on which the noble lord was in the habit of sitting. Above all, it was most useful in a new parliament, when an endeavour was to be made in the outset to persuade the inexperienced that public virtue and public principle were monopolized by the antagonists rather than by the friends of ministers. He did not mean to follow the example thus set—the chair would interpose if he attempted to impute improper motives to the gentlemen who opposed the proposition now under consideration; but it was undoubtedly true that such assertions were calculated to produce a vulgar impression: though, if young members would refer to history they would find that improper motives quite as often influenced those who attacked the government as those who supported it. Repelling, therefore, such imputations with becoming indignation, he would proceed to the point at issue. Although he was not one of those who voted for the appointment of the commissioners in question, he agreed with the hon. baronet, that after they had been appointed, it was fit if necessary to afford them protection in the discharge of their important duties. True it was that certain abuses had been detected by them; but abuses which the hon. baronet, when he moved for their appointment, had not referred to. He did not blame them for travelling, as they had done to various matters; if they thought that the business of the court of exchequer could be conducted by four as well as by five judges, they might very properly call the attention of parliament to it; but if it had been the purpose of the House to authorise them to examine into the constitution of the courts of Scotland, as well as into the mere details of fees, he could not help thinking that individuals of a different class would have been more properly nominated to such high, important, and extensive functions. He believed that the present was the first occasion on which the House had been required to affirm, not the report of a deputation of its own body, but the mere *dictum* of four out of five gentlemen in no way connected with parliament. The weight of opinion was unquestionably in favour of five instead of four judges of the exchequer; but if the noble lord were prepared with the evidence of facts to maintain his proposition—if he were able to prove that four were better than five, he (lord Castlereagh) could only say that he would afford every facility for prosecuting the inquiry. He could not agree to the present motion; on the contrary, he should move the previous question upon it; but if the noble lord thought that he could, by satisfactory evidence, prove the proposition propounded by the commission in its report, he would afford the noble lord every facility for that purpose, and would consent on a future evening to the appointment of a committee of that House to inquire into the subject. And with regard to the members of it, he would only require that fair degree of communication which had taken place regarding the royal burghs of Scotland. With the lights he at present enjoyed, the weight of testimony was in favour of what had been done; and with regard to the report of the commissioners, the House would not forget that those commissioners gave their opinion with very considerable doubt—they did not state it as a peremptory proposition, but as a cautious suggestion. The noble lord, in allusion to this part of the subject, had endeavoured to set at nought the authority of the only commissioner whose judicial experience would be to enable him to arrive at a safe conclusion. He had not the pleasure of knowing sir Iley Campbell; but he understood that he was eminently qualified, and competent to decide upon this point, independent of the matters of fees to which the attention of the commissioners was especially directed. He must protest against the mode in which the question had been argued; the noble lord seemed to think that he had made out a good case in favour of four barons, if he could show that even once the business of the court had been transacted without the presence of the fifth; and because he found that one ministerial officer was a poet, he jumped at the conclusion that all the offices could be discharged as well by poets as by lawyers. In this manner it was impossible to say what office might not be abolished. It was in every one's recollection that that most distinguished luminary of the law, in modern times, lord Mansfield, had, in consequence of severe indisposition, been absent from his high official duties for a considerable time; would it therefore have been fair to argue that the business could as well be effected by the three puisne judges, and that the office of chief justice of the court of King's Bench might be dispensed with altogether? This would be retrenchment and economy with a vengeance. When the commissioners entertained an opinion that four barons only were required, they ought surely to have gone a step further—they owed it to themselves, at least, to have examined the heads of the different courts, before they put forth their *dictum* which could only have the effect of embarrassing and fettering the government. As to the quantum of business, he admitted that it might be greater in England than in Scotland, but this did not show that the constitution of the two courts ought to be the same, for the cases were not analogous. The court here was subject to writs of error, and its jurisdiction was amenable to other tribunals, but in Scotland its duties were not only triple, but superior and beyond the power of appeal and revision. And here his lordship begged to be allowed to say, that of all economies abhorrent to common sense, that was the most absurd which regarded the bench—to secure the pure administration of justice, was always the best economy. The question now was, whether the country should save 2,000*l.* or whether it should have a court adequately constituted for the protection of the rights and property of the subject? It was really ludicrous to argue, that because only four judges were found necessary in England, that Scotland ought therefore to have no more. Still he was prepared to meet the noble lord more than half way, by consenting to the appointment at a future day of a committee of the House of Commons to investigate the subject; and if, after due inquiry, it should appear that the commissioners were right, he should be ready to follow their recommendation—he did not mean in this particular case, nor with reference to this particular appointment. Upon that he was not prepared with an opinion. He had anticipated the cheers with which this observation was received by the other side of the House. They were never so happy as when they had got some paltry thousand pounds to peck at; as soon as they had hold of a particular sum, how they rejoiced in their supposed advantage until the necessity of its payment was shown, and then they endeavoured to overcome argument by clamour! No one regretted more sincerely than he did the present distressed condition of our manufacturers, but the constituents of the noble lord were a little too enlightened to be persuaded even by him, that a poor thousand pounds would make a serious difference in their condition. It was unfair to assert, because the fifth baron might be in connexion with some individual in power, that the appointment was made from motives of favouritism; the present venerated chief baron would never have prostituted his great name and reputation to sanction such an appointment, if he had not thought the individual meritorious, and the office indispensable. The person so appointed, sir P. Murray, had, with the exception of a single twelvemonth, been for 19 or 20 years in the active discharge of the duties of the office of king's remembrancer, and was known to be eminently qualified for his new situation. As to the assertion of the noble lord that the business of the court of Exchequer, as a board of treasury was done by a deputy, the same observation might be made with reference to several other very important boards of control. He confessed his surprise at the way in which the noble lord had spoken with reference to the subject of distresses and discontent in Scotland. The noble lord had said that, if this appointment were persevered in, the consequences might be most hazardous, if not fatal; but did the noble lord seriously mean to be understood that the sum of 1,000*l.* would make all the difference between practical allegiance and open rebellion in Scotland? If so, then indeed this amount was of the utmost consequence. He (lord Castlereagh) had every respect for commissioners and their reports; but he could not help remarking that if their suggestions were held conclusive and mandatory—if they were to be erected into judges in supreme without appeal—it would throw the whole organization and administration of the country into irremediable confusion. In the time of lord Hardwicke, it was well known that a commission had been issued to inquire into the Court of Chancery; but it was well known that the decisions of the commissioners were not final, and that the chancellor himself had drawn the voluminous decree by which the report was carried into effect. In this instance, lord Sidmouth had adopted the only course he could with propriety follow; of personal motives he could not be suspected; he had referred to the highest law authorities, and they were unanimous in favour of maintaining the ancient constitution of the court. Under such circumstances, what would have been said if he had not acted as he had done—if he had not obeyed the decision of the most competent persons, but, setting the venerable constitution of the court of Exchequer at defiance, had hung up the four remaining judges in a new and fantastical condition. By the step that had been thus taken the question was by no means placed beyond the reach of parliament; and, as he had before observed, he was prepared to meet the noble lord more than half way. In the abstract, it might be better to pay four than five barons; but without evidence the House would not decide the subject on a bare assertion in a succinct, short, and dogmatic report. Under all these circumstances, he could not consent to meet the proposition in any other way than by moving the previous question.

Mr. *Tierney* said, that he never had entertained a doubt that this was one of the motions which ministers would meet by the previous question. What course had the noble lord pursued? He had endeavoured to make people believe that ministers were a set of very ill-used gentlemen, and giving the real point in dispute the go-by, he had maintained, that his noble friend had introduced a new fangled, or to use his lordship's own most happily applied epithet, a fantastical proposition. His lordship had warned the new members to be on their guard, for if they voted with opposition they might get into great difficulties. If they supported the noble lord, they had seen enough of him to-night to know that they would be in most immediate peril, for nothing could be more unsatisfactory and slighting to the whole country, to the whole distressed population, than the mode in which the noble lord had dealt with this important question. Opposition had often been accused of being incredulous, of being unwilling to put faith in the professions of economy by ministers: so help him God, he, for one, did not believe them: without imputing any improper motives, he did not believe that real practical economy was to be hoped for from them. If a proposition were brought forward for some general financial reform, then the cry on the other side was, that the whole fabric of the state was about to be overset; and if a particular practical retrenchment were suggested, the cry was, "What a fuss you are making about nothing—what a noise about one or two thousand pounds!" In fact, if ministers were credited, they were the only proper judges of what public money should be spent, and who ought to spend it. It was impossible for them to be economical—they were obliged to call in the aid of patronage and influence for their support—they existed upon it—it was the foundation of all their hopes, and they could not lose even the third part of a fifth baron of the exchequer, without some risk to their stability. They had no other chance of maintaining themselves in their places but by bolstering themselves up with all kinds of pensions, salaries, and emoluments, for which the people paid a great deal, and received nothing. Not very long since the abolition of the offices of two junior lords of the admiralty was moved—"No—it is a pitiful concern, a few paltry thousands a-year, and, above all, it breaks in upon the establishment." Thus the establishment was the strong hold, behind which ministers entrenched themselves. If any body spoke of removing the third secretary of state, or of abolishing the secretary at war, the cry was the same—"it breaks in upon the establishment:" it was very easy to call the establishment the constitution, and then woe to the man who lifted his unhallowed hand against it! The noble lord had certainly made a very subtle speech—it possessed all his wonted circuitous ingenuity, and the result must have satisfied the House, that if the noble lord's health had recently suffered, his parliamentary dexterity was as great as ever. The question lay in a very narrow compass; he would just retrace the steps by which it had now arrived in the House. Six years ago, his hon. friend, the member for Waterford, moved for the appointment of commissioners "to inquire into the duties, salaries, fees, and emoluments of the several officers, clerks, and ministers of justice of the courts in Scotland." He entreated the House to remark the introduction of the word "duties," for that of itself replied to a great part of the speech of the noble lord. Every resistance was made to the proposition; but it was carried by the vote of a late master in Chancery, who conscientiously, though unexpectedly, supported the inquiry. Seven months then elapsed before the commissioners were appointed; and then it seemed to be determined that they should be of no service. The noble lord had cautioned young members not to be taken unawares; but one young member on the treasury bench (young as a member, but old in experience), the lord advocate, must have been taken by surprise when the noble lord asserted that he wanted farther information. The lord advocate had come down to the House like a true Scotchman, that was, like an honest man, and had maintained that nothing could induce him to think the appointment of a fifth baron wrong—five was the true, orthodox, infallible number in Scotland: and that no change was wanted, and no inquiry to produce one. But the noble lord wanted a committee; and why did he not propose it a few months ago? Then it might have been of some utility; then all men were perhaps not decided upon the question; but what was the conduct of the noble lord? First, he makes the appointment—then he justifies it—and, thirdly, he requires a committee to ascertain whether it was right or wrong. It was very well for the noble lord to warn all simple country gentlemen against placing implicit confidence in the antagonists of ministers; but he (Mr. Tierney) would ask them, and others of more experience, if they ever saw in town or country, a juggler of more art and dexterity? Still, though the noble lord wanted a committee, he thought no further inquiry was necessary, and he (Mr. Tierney) thought so too, but for a different reason: he was satisfied with the report of the commissioners. The noble lord in one part of his speech had termed the report "dogmatical;" and in another, with his accustomed acuteness, he had found out that it was uncertain and dubious in his phraseology. In what respect were these words dubious or uncertain—"With the exception of one of our number, we concur in thinking that five barons are more than necessary, and that the business of the exchequer might be conducted with equal advantage by four." Where was the ambiguity, or was any country gentleman quite so raw as to think that in those terms there was any thing doubtful? Next, who were the commissioners? Some of the new members, who did not know the noble lord, would really have supposed that they had been selected by the opposition side of the House; but, in truth, though abused and maligned, they had been named by the noble lord himself. Unquestionably they were men entitled to every respect, from their knowledge and integrity; and much as the noble lord had said about the Scotch Exchequer being a triple court, without appeal, and with superior jurisdiction, the real and only question was, whether there was more business than four barons could execute? That point the commissioners fully investigated, and with the single exception of Sir Iley Campbell, they were of opinion that four were enough. "But," cried the noble lord, "look at the report of the judges, the heads of the courts, to the contrary—they are the only persons competent to decide." If it had been an abstruse question of Scotch law, he (Mr. Tierney) admitted that the judges ought to be heard in preference to ordinary practitioners; but what the commissioners had decided required no deep reading—no nicety or subtilty of reasoning—it was merely whether the technical proceedings of the court could or could not be conducted by a larger or smaller number of barons. Recollecting how favourite a number five appeared to be in Scotland, and what infinite mischiefs might result from reducing it to four, it was somewhat odd that the lord-advocate should have consulted the opinions of only four heads of courts. With still greater singularity he had actually appealed from the magic and mysterious five to dangerous and neglected four, and now set up the opinion of four judges against the decision of five commissioners! If it were a fit question for the judges, why was it not put into their hands in the first instance? The lord-advocate said, that the act of Ann recognized five barons; but was there no difference in the circumstances of the times? At the period of the Union, recollecting how it had in some degree been forced upon Scotland, it might not have been prudent to abridge what might, perhaps, have been considered by the natives an advantage or privilege, but which they now well knew how to look upon in its true light. Besides, was this the hour when the act of Union was to be pleaded in bar of retrenchment and political economy? The noble lord had said, let the question be tried; but the question had been tried; commissioners had already given an opinion upon it; but it was not intended by the present motion to rest here, for it was further to inquire into the grounds of the appointment. It was too much to have it said, that when the whole country were looking out for the economy and retrenchment which had been so loudly proclaimed—it was too bad, after the minister's own officers had declared this office unnecessary, to bring it forward as one which ought to be continued. But, if the office was actually as necessary as it had been alleged to be, why had it not been continued to Mr. Baron Adam?—or why was not sir P. Murray appointed at first to it? If there was any doubt on the subject, why not wait until the House had decided? Sir P. Murray had in the first instance been passed by, and another appointed to that necessary situation. Why, if the office was so necessary, had he not been permanently appointed, in the first instance? But, from the whole of the circumstances, he would ask if it was not evident that this was a plain, downright, unequivocal job? If the noble lord had for a moment attended to his former professions of economy, he himself would have thought so. The number of five seemed to have greatly pleased the high authorities in Scotland; but it was found that in all our courts here the even number of four was sufficient. And could it be said that such nice questions were argued in the exchequer court of Scotland, that a right decision could not be come to with four judges? Yet, if that were necessary, what could be more easy than to have come to the House, and brought in a bill for the appointment of a fifth judge? That, however, was not the question with the noble lord. The battle was not, that this appointment of 2,000*l.* a year should be spared; but the real battle was, that no retrenchment or economy should at all be practised. The noble lord said, that a committee might inquire into it. But could any man conceive that, after witnesses were sent for to Scotland and examined, any thing could be done on this subject in the present session? or would any man of common sense believe that the whole proposition of the noble lord was not made for the purpose of giving the question the go-by? But the commissioners, it would seem, had made a report embarrassing to government, and their suggestion was to be set aside. The fact was, ministers dared not refuse the appointment of sir P. Murray: he did not intend by any means to disparage the qualifications of that gentleman, but ministers were afraid to refuse his appointment. They well knew, that if they had done so they would have lost some votes in that House. He had heard of a member in the Irish House of Parliament who backed an application to the treasury by saying "there are seven of us." He did not know how many there were "of us" in Scotland; but he believed it would be found that the concurrence of the noble lord had been obtained upon some such principle. He imputed no blame to the noble lord individually; it was part of the system. It might have been said, "What right have you to interfere with what we do in Scotland? This is my department; I do not interfere with the Admiralty, or the Treasury, in their appointments, and you should not interfere with mine." This, he supposed, was the language held out; and he was satisfied, if the noble lord had been left to himself, he would not have supported such an appointment as the present. But after what had passed before them—after what they had heard from the commissioners — would the House consent to such a measure? They were told to wait for inquiry. What was the use of inquiry now? They had got all the opinions upon the subject that might be expected. They had the opinions of the chief justice—they had those of the commissioners, and, if those commissioners were properly appointed at first, what farther inquiry was necessary? Let the House, however, look at the opinions of some of those who concurred in this appointment. Let them consider their experience and knowledge of the subject. There was one, the present chief baron of Scotland, who had lately been an ornament to that House. From that distinguished individual he had frequently had the misfortune to differ, though without any diminution of respect. But if ever there was an occasion in which he should with less regret be inclined to differ from him, it certainly would be on a subject upon which his mind had not been conversant. Such then was the case with sir Samuel Shepherd, as the House knew he had not held his present situation for any considerable portion of time, and it was rather too much when his authority was wanted thus to convert the scholar into the master. Sir Samuel Shepherd was one of the best-natured men living. He might have been told that it was the opinion of the lord advocate that they ought to have five judges, "and you, sir Samuel, what say you?" From mere good nature, he naturally would say, "Come, by all means let us have five." The Scotch gentlemen were of a similar opinion, and little was it to be wondered at, that sir Samuel joined in the shout of "Five for ever! Five for ever!" On the one side, was an opinion without inquiry; on the other, the opinion had been given as the result of inquiry, and was, that the appointment should not be made. The noble lord had admitted the facts stated in the present motion—he could not deny them—but he had denied their inference; and what was that inference? He (Mr. Tierney) would say, that an opinion having been given on both sides, the inference ought to be in favour of the country. The country had a right to expect that the opinion of commissioners, whom they had paid for the purpose of inquiry, should at least have some weight when they recommended retrenchment. But this was not the case. It was not merely the question, that the thousand or two thousand a year should be given up, but whether any thing in the shape of economy should be allowed. The chiefs of the several courts, it was said, had given their opinion in favour of the additional baron. But they were not the best judges; and, until he saw some grounds for the assertion, that the recommendation of the commissioners ought not to be carried into effect, he could not, by his vote, support any appointment contrary to that recommendation. The noble lord, however, had got another argument in its favour, and had asked, what would become of sir Patrick Murray? Was he to lose the situation which he had been appointed to for life? He (lord Castlereagh) would have them wait till the next time of appointment for this saving; and he had added that the office of chief remembrancer—one of 1,000*l.* a year, which sir Patrick Murray held—would fall in. But the House had a right to expect the reduction of both. The office of chief remembrancer would have been discontinued at sir Patrick Murray's death; and, instead of gaining a thousand pounds by this appointment, as the noble lord would infer, the House had a right to expect the saving of 3,000*l.* In conclusion, he contended that the appointment could be considered in no other light than as a job. The House might, if they pleased, approve of the plan of the noble lord; but he asked, could any man in his senses deny that the object of his proposition was, to put off the question for the present? Some members might be entrapped by that proposition; but, if they were, and voted against the present motion, there was no farther use of inquiry—there was an end of all hope of economy and retrenchment.

Mr. *W. Dundas* opposed the motion, and defended the conduct of government in the appointment. The commissioners, he observed, had, in four short lines, without any reason assigned, decided against the appointment; but the judges, who had more experience of the business of the court, and who were men of unimpeachable integrity, had approved of it, and given their reasons for that approval.

Lord *A. Hamilton* observed, in reference to what a noble lord had said, that he did not intend to confine his motion to the one at present before the House.

The previous question being put, "That the question be now put," the House divided: Ayes, 177; Noes, 189: Majority against lord Archibald Hamilton's motion, 12.—Whilst the division was going on, lord Castlereagh addressed the ministerial members in the lobby. He begged them to recollect that another question remained to be considered and disposed of, and a division might be expected to take place upon it. The intended proposition on the other side meant to impute blame to ministers for filling up the vacancy without having previously taken the sense of parliament upon it; that imputation appeared to him most unjust; for in his opinion it was the duty of government to fill up the office, and afterwards to submit the matter to parliament, and abide their decision whether of approbation or of blame.—Lord A. Hamilton next moved, "That the vacancy occasioned in the Scotch court of exchequer by Mr. Baron Adam's resignation ought not to have been filled up until the report of the commissioners on Scotch courts had been considered by this House." Upon which the previous question was moved.—Mr. W. Douglas strongly supported the resolution, declaring the reluctance he felt at opposing the government with which he generally voted, and always desired to vote,—but, he added, that he had been in Scotland lately, and could bear witness to the universal feelings of surprise and reprehension excited all over the country, by the extraordinary haste shown in filling up the vacancy.—Mr. Brougham stated that the concurrence of the four chiefs in recommending five barons to be continued, merited very little attention, because of these four, three were placed in peculiar circumstances, the chief baron having only just been appointed, and the lord president being sir P. Murray's brother-in-law. He added, that in England it was a known fact, that the equity side of the court of Exchequer had never been equally divided since sir Robert Walpole's time. He asked, whether, in the event of any future vacancy of this kind occurring, it was the intention of ministers to fill it up? Lord Castlereagh said, that in such an event his majesty's ministers could not leave the public service unprovided for. Mr. Brougham upon this, gave notice that he should, on Friday the 26th inst. submit to the House a motion on the filling up of vacancies in the Scotch jury courts. — Mr. Canning protested that the resignation of Mr. Adam, and subsequent appointment of sir P. Murray, were events wholly unexpected, and not in contemplation of the government when the bill respecting Mr. A.'s salary was spoken of last summer.—Lord A. Hamilton reminded the House that he had himself brought these matters before them last summer, in connexion with the report of the commissioners, then on the table, though not printed. To this no answer was made. — The previous question, "That the question be now put," was accordingly put, and negatived.

List of the Minority.

Acland, sir T.
Astley, J. D.
Allen, John H.
Althorp, viscount

Anson, hon. G.
Anson, sir G.
Aubrey, sir John
Boughey, sir J. F.
Bagwell, rt. hon. W.
Benett, John
Belgrave, viscount
Butterworth, Jos.
Burrell, sir C.
Bankes, Henry
Barham, J. F.
Barnard, viscount
Barrett, S. M.
Beaumont, T. W.
Bennet, hon. H. G.
Benyon, Benj.
Bernal, Ralph
Birch, Joseph
Brougham, H.
Burdett, sir F.
Bury, viscount
Byng, George
Bright, Henry
Chetwynd, G.
Calvert, Nic.
Cherry, G. H.
Calthorpe, hon. F. G.
Calcraft, John
Calcraft, J. jun.
Calvert, C.
Campbell, hon. J.
Crewe, R. S.
Carter, John
Cavendish, Henry
Caulfield, hon. H.
Clifton, viscount
Coke, T. W.
Colburne, N. R.
De Crespigny, sir W.
Davenport, Davies
Dawson, H. M.
Davies, T. H.
Denison, Wm.
Denman, Thos.
Dundas, hon. L.
Duncannon, visc.
Dundas, Thos.
Evans, Wm.
Ellice, Ed.
Fane, John
Ferrand, Robert
Fellowes, W. H.
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord C.
Fitzroy, lord J.
Folkestone, visc.
Frankland, R.
Gaskell, B.
Grosvenor, Thos.
Gordon, Robt.
Graham, J. R. G.
Graham, Sandford
Grenfell, Pascoe
Guise, sir W.
Gurney, R. H.
Haldimand, W.
Harbord, hon. Ed.
Hervey, D. W.
Heathcote, G.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Hughes, W. L.
Hughes, col.
Jervoise, G. P.
Keck, G. A. L.
Kennedy, T. F.
King, sir John D.
Legh, Thos.
Lawson, mar.
Lamb, hon. W.
Lambton, J. G.
Lemon, sir W.
Lloyd, sir Ed.
Lloyd, J. M.
Lushington, Steph.
Maberly, John
Maberly, W. L.
Marryat, Jos.
Macdonald, J.
Mackintosh, sir J.
Martin, John
Milbank, Mark
Milton, viscount
Monck, J. B.
Moore, Peter
Moore, Abraham
Mostyn, sir T.
Neville, hon. R.
Newport, rt. hon sir J.
Newman, R. W.
Nugent, lord
Onslow, Arthur
O'Grady, S.
Ord, Wm.
Osborne, lord F.
Ossulston, lord
Plummer, John
Pollen, sir John
Peel, Wm. Y.
Phillimore, Jos.
Portman, E. B.
Palmer, col.
Palmer, C. F.
Pares, Thos.
Parnell, Wm.
Peirse, Henry
Pelham, hon. C.
Philips, George
Philips, Geo. jun.
Ponsonby, hon, F. C.
Power, Rich.
Powlett, hon. W.
Price, Rt.
Pym, Francis
Rickford, Wm.
Ramsbottom, John
Ramsden, J. C.
Ricardo, David
Ridley, sir M. W.
Robarts, A.
Robarts, G.
Robinson, sir G.
Rowley, sir W.
Rumbold, C.
Russell, lord J.
Russell, lord G. W.
Sebright, sir J.
Spooner, R.
Staunton, sir G.
Scott, J.
Smith, Abel
Smith, Robert
Smith, John
Smith, hon. Robt.
Smith, Saml.
Smith, Wm.
Scarlett, James
Sefton, earl
Stanley, lord
Stewart, Wm.
Stuart, lord J.
Sykes, Dan.
Spurrier, C.
Tremayne, J. H.
Tulk, C. A.
Townshend, lord C.
Tavistock, marq.
Taylor, C.
Tierney, right hon. G.
Wynn, sir W.
Wynn, C. W.
Wodehouse, E.
Whitmore, W.
Williams, sir R.
Webbe, Ed.
Whitbread, W. H.
Whitbread, S. C.
Wilkins, Walter
Williams, W.
Wilson, sir Robt.
Winnington, sir T.
Wood, alderman
Wyvill, M.

TELLERS.

Hamilton, lord A.
Abercromby, hon. J.

HOUSE OF LORDS.

Tuesday, May 16.

COMMERCIAL DISTRESS — PETITION FROM BIRMINGHAM.] Lord *Calthorpe* rose to present a petition from the merchants and manufacturers of Birmingham, and observed, that its object was to induce their lordships to inquire into the distress of which the petitioners complained, and with which they were most grievously afflicted. The petitioners were highly respectable persons, who would not come forward with frivolous complaints. They did not speak the language of unmanly despondency, but, conscious that the trade and manufactures of the country were in a state of great depression, they were anxious to see them restored to their wonted prosperity and vigour; or, if there existed any obstruction to that restoration, that its cause should be ascertained. Although he did not expect that any such inquiry would remedy the distress of which the petitioners complained, he thought the wish they expressed deserved the serious attention of their lordships. This petition spoke the language of a considerable portion of the manufacturing interest of the country; and it appeared to him that it would be but showing a fair concession to the opinion of such persons, and a just sympathy with the existing distress, if their lordships went into an inquiry, even though they should expect no advantageous result from it, and though they believed the evil to be one which admitted of no parliamentary remedy.

On these grounds he was persuaded that the conciliatory disposition of their lordships would induce them to listen to the prayer of the petitioners, and that they would proceed to investigate the cause of the commercial distress, with the view of ascertaining whether they possessed the means of relief, and whether the subject was one fit for legislation. As he had reason to hope that his majesty's ministers would concur in this view, he should be happy if they took up the investigation themselves. He had perfect confidence in their intentions, and would be most happy to leave the subject entirely with them. For the present, therefore, he would make no mention relative to this petition, except that it do lie on the table.

The Marquis of *Lansdowne*, before he offered any observations on the subject of the petition, wished to ask the noble lord opposite, whether it was his intention to propose to refer it to a committee, or to propose any other mode of inquiry into the distress to which it referred?

The Earl of *Liverpool* said, he had no objection to answer the question of the noble marquis. His noble friend had alluded to the supposed intention of instituting an inquiry in another place, and it might be a question whether a simultaneous inquiry on another branch of the evil complained of would be advisable. To such a proceeding, with proper limitations, he could have no objection; and were a motion of that nature made by the noble marquis, or any other of the noble lords on that side of the House, he should not oppose it, but would take the opportunity of stating what his view and that of his majesty's government on the subject was. Thus far he was desirous to go to satisfy the public anxiety. No advantage, he was convinced, could be gained from a general investigation, and he was most desirous that no misconception should take place on the subject. While he stated this much, he must at the same time observe, that he did not intend to make any proposition on the part of the executive government. He did not think that the executive government ought to come down and propose to institute an inquiry on a subject of this kind, unless they were prepared with a cure, or distinctly saw some remedy which it would be in the power of parliament to apply. As he had said, however, he would make no objection to any inquiry which might be proposed by any other noble lord, provided it should be properly limited. With regard to the petitioners, he wished to bear testimony to what the noble lord who had presented the petition had said of the respectability of their character, as well as to the general good conduct of the people of Birmingham. The great mass of the population of that town had behaved with a patience and loyalty which, when they had any claim to make, must certainly entitle them to every proper indulgence on the part of their lordships, and particularly to the indulgence they now asked—that of having the opportunity of fully explaining the grievances of which they complained, with the view of obtaining a remedy.

The Marquis of *Lansdowne* concurred in what had been said respecting the petition, which he regarded as fully meriting the character of the noble lord who presented it, and the noble earl opposite had given it. In suitable language it stated the situation of the country and of the petitioners; it did not attempt to point out any remedy, but called upon their lordships to consider the subject. To such an appeal he was confident their lordships would listen. He had hoped that the noble earl opposite would have thought proper to recommend the instituting, either in or out of that House, such an inquiry as might lead at least to an explanation of the causes of the present distress; and, if no immediate remedy could be applied, to show the grounds on which it would be necessary that the evil the country was now suffering ought to be longer endured. Being satisfied that no such inquiry could be usefully instituted, without the concurrence of the executive government with the two Houses of Parliament, he was most desirous that the subject should be taken up by his majesty's ministers; but having ascertained that neither the noble earl opposite, nor any of his colleagues, entertained any such intention, and understanding also that the noble lord who presented the petition did not mean himself to call for any farther proceeding, he should certainly consider it his duty to submit to their lordships a motion for instituting an inquiry; but he could not think it advisable to propose such an inquiry upon that extensive and complicated scale which an investigation of the situation of the country in all the branches of its distress would require. He was satisfied that the inquiry would be likely to prove most advantageous, if limited to some practical points. He should therefore, on some subsequent day, propose the appointment of a committee to investigate only the means of extending the foreign trade of the country. He was far from thinking that such an inquiry as he intended to propose would be sufficient to relieve the executive government and parliament from searching to the bottom the causes of the other evils under which the country suffered, in order to remove them, if possible, or to prove to his majesty's subjects that the remedy was not in their power. He was afraid his shoulders would not be sufficiently strong to bear the burthen of instituting a more extensive inquiry; and on that account, as well as the utility of confining the investigation to a single object, he wished to limit it in the manner he had stated. He should, on Friday se'nnight, take the opportunity of moving the appointment of a committee.

The Earl of *Liverpool* declared, that to the noble marquis's motion, limited as he meant to propose it, he had no objection. When the proposition for appointing a committee should be made, he would state his view of the subject, but certainly not with any intention of opposing it. What it might then be proper to do would be a subject for future consideration. In the mean time, he should not object to the petition being referred to a committee.

Earl *Grosvenor* understood the motion proposed to be brought forward by the noble marquis to be limited to the manufacturing interest, but he hoped that an inquiry into the agricultural distress would not be neglected.

The Earl of *Liverpool* observed, that the notice applied only to foreign trade. He approved of the limitation of the inquiry; but as, in the observations he intended to make on the motion, he would take a general view of the state of our trade, it would be impossible for him to do so without entering into a consideration of the situation of the agriculture of the country. At the same time he was fully satisfied that there was no necessity for rendering the inquiry more extensive than the noble marquis proposed to make it. That noble lord had most properly limited his notice to a single object, and it would be for the consideration of the House whether they would afterwards go into any other inquiry.

The Marquis of *Lansdowne* was aware that his motion would not prevent any noble lord from proposing to extend the powers of the committee, or to institute further investigations; but if any inquiries were to be instituted, he thought it most desirable that they should be limited to distinct points. He was afraid that, if their lordships embarked in a general investigation, a door would be opened for the admission of every theory, and that they would finally be able to come to no conclusion; whereas, by confining the inquiry to one branch of the existing distress, there was a chance of attaining to something like a practical result.

Earl *Grosvenor* thought the observations of his noble friend very proper. He was only anxious that it should not appear to the country that their lordships were disposed to devote their attention to the manufacturing or trading distress only.

The Earl of *Lauderdale* thought it impossible for their lordships, with so many petitions on their table, to neglect taking notice of the agricultural distress; but what he chiefly rose for was, to implore their lordships not to enter into an investigation of the general state of the country. If they went to such an inquiry, the number of witnesses, and facts of all sorts, which would be brought forward, would only render an accurate conclusion impracticable, and open a door to fresh discussions and disputes. He therefore approved of the manner in which his noble friend had limited his motion; but he also thought with him that the executive government ought at the same time to search with activity for the means of applying a remedy to the distress. One of the greatest uses of parliament was the prosecution of distinct branches of inquiry of the nature of that to which the committee was proposed to be limited; but this did not relieve the executive government from the performance of their duty.

The Earl of *Darnley* thought it would be better if no question respecting the distress of the agricultural interest were brought forward, for he did not conceive that any remedy could be applied to the evil. The petitions of the numerous individuals before the House deserved every consideration; but he was afraid a cure for their distress could not be easily found. He thought it his duty to take the earliest opportunity of stating his opinion on the subject.

Lord *Erskine* differed in opinion with

his noble friend who had just spoken. He thought a remedy for the agricultural distress was much more easily to be found than their lordships appeared to imagine. He, however, agreed in the propriety of making the inquiries into the commercial and agricultural distress distinct and separate. He should, perhaps, take an opportunity of bringing the latter subject under their lordships consideration, and would then explain the grounds on which he was of opinion that the application of a remedy to agricultural distress was easy and simple.

The Earl of *Donoughmore* was sorry that government appeared to have thrown the consideration of the distressed state of the country off their own shoulders, because he was convinced that any proposition on the subject would come with more prospect of success, from ministers, than from the side of the House on which he stood; and he hoped he might be allowed to say, that to do so would be nothing more than their duty. Could they possibly have a more important duty than that of attending to the distress of the country? With all the details of that distress his majesty's ministers must of necessity be better acquainted than any other individuals in parliament. They must have before them facts, the knowledge of which no other persons could obtain. A proposition brought forward by them would be certain of having effect; while, from the side of the House on which he sat, it was almost sure of a negative.

The Earl of *Liverpool* felt it impossible, after what had fallen from the noble earl who spoke last, not to trouble their lordships with a few words. He had not stood in the way of the discussion of the state of the country, for their lordships would recollect him to have stated, that when the proposition of the noble marquis should be brought, he would not confine himself to a silent vote in its support, but should on that day be prepared to enter into, not a limited discussion, but into the consideration of every subject connected with the motion. Here he would have wished that the matter had been allowed to rest; but the noble lord had supposed that, because his majesty's ministers did not come to parliament with a proposition on the part of the executive government, they neglected their duty. He agreed with the noble lord that it was their duty at all times, and more particularly at a time like the present, to inquire into the state of the country; and he was ready to admit, that if they had not inquired they had neglected their duty. But did it follow that they had been guilty of such negligence because no proposition had been submitted to their lordships? Without any disrespect to that or to the other House of Parliament, he might say that the executive government would have done wrong in making an appeal to them the first step on such an occasion. Before any proposition was made by the executive government to parliament, it was necessary that ministers should be prepared to state whether they had any cure to offer, and what remedies might or might not be applied. No noble lord was, however, precluded from taking up the subject; but, before his majesty's ministers assumed that office, they ought to be able to make some precise proposition, and to say distinctly what was most fit to be done. He would not assert that something might not and ought not to be done, but this he would say, that in political economy far more danger was to be apprehended from doing too much than from not interfering at all. A reference to the Statute-book would show, that attempts to cure supposed evils had been the cause of great mischief. What their lordships had to complain of was, not that in past ages the legislature had done too little, but that, doubtless with the best intentions, too much had been done. It was fit, therefore, that their lordships should go into the inquiry with these considerations impressed on their minds, and give that deliberation to the subject which its importance required. Inconsiderate propositions, in such cases, from individuals, were dangerous, but if brought forward by the executive government, they became ten times more dangerous.

Earl *Grosvenor* was far from proposing that agricultural distress should make a part of the inquiry about to be brought forward, and he was indeed far from supposing that any good could be done by the inquiry: that is, that any effectual remedy would be found by the committee. It was, however, proper that those who suffered so severely should have their prayer for inquiry satisfied. In his opinion, there was only one remedy for the public distress, and that was the application of the strictest economy to every part of the public expenditure; and he must say that, from all he had yet seen, he was almost in a state of despair as to the application of this effectual remedy. From what was every day passing, it was impossible for him to believe that ministers were earnest in the prosecution of that economy which could alone give prosperity to the country.

The petition was laid on the table, and their lordships were orderd to be summoned for Friday se'nnight.

Employment for the Poor.] Earl *Stanhope** rose and said:—My lords;—In rising to submit to your lordships the motion of which I gave notice some days ago, I am influenced solely by a sense of public duty; and I am deeply impressed with the extreme importance of the subject to which I am anxious to call your attention, that of providing employment for the poor. In circumstances like the present, of extraordinary difficulty and danger, the consideration of this subject is perhaps of all others the most interesting and important, as we know that in almost every part of the country, the want of employment for the poor has produced severe distress; and as we knew also, that the discontent of those who suffer from that distress, has in some parts of the country assumed even the character of disaffection. The first and most urgent duty which your lordships had to discharge, was, to repress the machinations of the disaffected, when they tended to the subversion of that ancient and excellent constitution which has so long been the happiness and honour of this nation, and has so long secured its liberties and welfare. But your lordships have another duty to perform—a duty most important in itself, and of which the performance will be most beneficial to your country, and most honourable to yourselves; I mean the duty of inquiring, whence has arisen that calamitous situation of public affairs, which no man can contemplate without apprehension and alarm;—what have been the causes, and what might be the remedy, of that great and general distress which has produced such great and general discontent.

When the house is in flames, the first duty of the inhabitants is to extinguish the conflagration; but they will not suppose themselves to be secure in future from the danger, as long as the cause which produced it still continue to operate; nor will they suppose that they can prevent its recurrence by providing themselves with fire-engines and buckets. There is no maxim more true in itself, none perhaps more important in its application, than that of lord Bacon, that in order to allay sedition, it is necessary to expel the matter of sedition. If this should not be done, let not your lordships delude yourselves with the expectation that any measures of coercion and restriction which you have adopted, or may hereafter execute, would be sufficient to secure the internal peace and tranquillity of the country, or that you could rely for protection upon any increase which you have made, or could make, to your military force. The principal matter of sedition is at present public distress. I am aware that discontent has been found to exist in places, and among persons, that have not considerably suffered from distress; but it is however, true, and is confessed on all sides, that if such distress had not existed, the machinations which have been used to excite disaffection, could not have been successful. I am aware also, that the example of the French revolution has afforded extraordinary encouragement to inordinate ambition, since by the consequences of that great political convulsion, persons from the lowest classes of society were raised to the enjoyment of rank, of power, and of wealth. Nor can it be surprising, after an event so memorable, so recent, and so fruitful in bad example, that persons should be found who seek to acquire wealth by the means of public plunder, and to exalt themselves by plunging all around them in misery and ruin.

But we are to inquire whence it arises that persons whose professed objects amount to nothing less than the total subversion of the British constitution, are able to assemble so many auditors and adherents. This I am convinced, would not, and could not, take place, were it not occasioned by great public distress. If such distress did not exist, if the labouring classes were provided with employment, and enjoyed a comfortable subsistence, I believe that the number of those who would be anxious to change the constitution would be very small indeed, and that still smaller would be the number of those whom they might be able to delude. I would appeal to your lordships, whether in the former and more prosperous periods of our history, which have been truly and emphatically designated as "the good old times," any demagogue who had attempted to harangue the multitude in the same manner as we have sometimes witnessed in our days, would not have been pelted by the very boys in the street, as an enthusiast or a madman? But when distress is widely extended throughout the country; when even peace itself has not brought its accustomed prosperity; when the pressure of taxation is in all quarters, and by all classes most severely felt; when the agricultural, the manufacturing, and the commercial interests are greatly depressed; when almost every person finds that his means of enjoyment are considerably abridged, and many are deprived even of food and raiment, and the common necessaries of life; when the patient begins to despair of relief from all regular practitioners, and to view them with distrust; then it is that he becomes ready to swallow any nostrum which any quack can recommend.

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In the Papers relative to the Internal State of the Country,* which were laid upon your table in the last short session of parliament, there is no circumstance more striking than this, that the distress existed principally in the manufacturing districts. This is indeed a natural and necessary consequence of the mistaken and mischievous system which has been so long pursued, of encouraging exclusively the manufacturing and mercantile interests of this country. Such encouragement was the less requisite, as persons are in general more anxious to find a lucrative than a secure investment of their capital, and consider more their present profits than the future interests of their families. The prevalence of that feeling, the numerous examples which have been witnessed, of large fortunes that have been rapidly accumulated by such means, offer sufficient inducements to engage in such pursuits. But the manufacturers and the merchants receive not only large present profits, but are also practically relieved from many of those burthens which bear with dreadful weight upon the other classes of the community. They contribute nothing to the support of the clergy; they contribute nothing, or in a degree too inconsiderable to be mentioned, to the support of the poor: from the enormous, and in some cases, almost intolerable burthens of tithes, poor-rates, and other local and direct taxes, they are almost entirely exempt. I would ask your lordships, upon what principle of justice it is that taxes intended for general purposes, should be levied upon one description of property, and not upon any other? that one class of his majesty's subjects should be called upon to discharge exclusively those duties which are common to them all; and that the agricultural interest should be depressed while the monied interest is encouraged in the same proportion? I would ask your lordships, upon what principle of policy it is that these burthens are imposed upon that class of the community, which is, of all others, the most valuable to the country; which is essential to its very existence, and which offers to the state those permanent and substantial resources, which are not affected by foreign trade, or by the state of foreign markets? Can that taxation be just which is unequal? Can that system be politic, which discourages the most useful and important branch of industry, and encourages all others? Nor is the encouragement confined to the undue and unjust preference which they thus enjoy. They are further encouraged by absolute prohibitions in some cases, by heavy duties in all others upon the importation of foreign goods, by prohibitions and by duties which are intended for their benefit, but which are accompanied with considerable injury to the public revenue. The temptation of high wages, and consequently of idleness, attracted large numbers of persons to manufacturing employments, and afforded great encouragement to marriage, particularly as the offspring of such marriages, instead of being an expense to their parents, became at a very early age a source of emolument, by working in those manufactories, where their labour was very frequently employed in a manner which was most prejudicial to their health, and which certainly required the interposition of the legislature.

Thus has arisen, in great measure, that superabundant population in some districts, which has been the cause of so many complaints, and which it is now attempted to remedy by encouraging emigration. Great and grievous indeed must be the distress of the country, when it can induce government to offer, and many persons to accept, as a favour, that which in former times would have been considered as a punishment; exile from their country and their native soil, and the removal to other and far distant climes. Thus also, it has arisen, that immense multitudes of manufacturers are congregated together in one spot, with every possible means and opportunity of combination and conspiracy. By the exclusive encouragement which they have enjoyed, more capital has been invested, more labour has been employed in manufactures than would otherwise have been the case; and the number of the manufacturers has been increased beyond all natural and reasonable limits. Their subsistence, however, is, and must continue to be, of all others, the most uncertain and precarious. It is only upon the home-market, which has, by many persons, been so much undervalued and neglected, that any permanent reliance can be placed: it is to that market only that you can look with any security, and yet we know that thousands of manufacturers may be deprived of employment by an alteration in the fashions of the day. The market of any foreign country may at any time be closed against us, not only by war, but also by its own municipal regulations, over which we have no control, and against which we have not even the right of remonstrance. This is not a theoretical evil, but one which is the more to be dreaded, as few of the continental powers have the advantage of a representative government, which might oblige the sovereign to consult the wants and wishes of his subjects.

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* See First Series, vol. 41, p. 230.

We know that, at the present moment, the foreign trade of this country suffers very considerable depression; but it is said that this distress is only of a temporary nature. I can by no means concur in this opinion. It must be recollected, that the distress under which our manufacturers now labour, was not occasioned solely by the return to a state of peace, and did not commence at that period, but was experienced for several years previous to the conclusion of the war. If your lordships will refer to the Journals of the House of Commons, you will find that, during the continuance of the war, numerous petitions were presented from the manufacturing districts, which complained loudly of the distress which they suffered, and called loudly for relief. Yet that was a period in which our manufactures received extraordinary encouragement, partly from the immense demand which the wants of government occasioned, partly from the exclusive market which was enjoyed in some countries. The circumstances of that period were such as never occurred before, and cannot be expected to occur again. God forbid that they ever should! But as great distress was then experienced, it is reasonable to conclude, that unless relief should be afforded, a still much greater degree of distress must continue to exist, under the present circumstances of the country, than was felt at that period, which seems to be considered as one of extraordinary commercial prosperity. I would say of that period, that it was not so much distinguished by commercial prosperity as by commercial speculation; by speculations often the most visionary and chimerical; of such as begun in delusion, and ended in disappointment. Such was the rage for commercial enterprise at that period, that, amongst other strange instances which were witnessed, whole cargoes of warming-pans and of coffins were sent to South America. It was, I remember, publicly stated at that time, by a gentleman whose knowledge upon these subjects was equally accurate as extensive, (I mean the late Mr. George Rose), that though the quantity of our exports was very considerable, some of the goods were captured at sea, others were burned when they were landed; some were never sold, and others were never paid for; so that, upon the whole, the balance of payments was very much to the disadvantage of this country.

If the information which I have received is correct (and unless I had the strongest reasons for believing it to be so, I would not state it in this or in any other place), the continental commerce of this country has received a deadly wound, by the consequences of an event which I always reprobated as unjust, which I always regretted as injurious to our interests—the annexation to Prussia of part of the Saxon dominions. The extreme injustice of that measure must be confessed by all, as it dismembered the dominions of a sovereign who was so justly beloved by his own subjects, and so justly venerated by all Europe, and whose political conduct was the necessary result of the circumstances in which he was placed, as it wrested from him a considerable portion of those subjects who, from their moral and social virtues, deserved our respect, and who had so long flourished under his benignant and paternal sway. The impolicy of that measure begins now to be equally apparent. The cessions of territory which were made by Saxony, have nearly surrounded Leipzig with the Prussian frontiers, over which no goods are allowed to pass without paying heavy transit duties; such, I am informed, as amount almost to a prohibition, and such as must prevent our merchants from trading to that fair with any advantage. It must have been known, that the heart of British commerce on the continent was at Leipzig, from whence, through various streams and channels, the produce of British industry was carried, not only over the greatest part of Germany, but over many of the neighbouring countries. It ought also to have been considered, that it is indispensably requisite for every emporium of commerce, such as Leipzig, to enjoy freedom of access; and that as the trade to Hamburgh, for example, would become insignificant, if the Elbe were to be constantly blockaded, so must the British trade to Leipzig become insignificant, when it cannot arrive at that place without paying such duties as are now levied by the Prussian government.

This, however, is not the only difficulty opposed to our continental trade. The continental system, as far as it related to the prohibition of British merchandize, still continues in many parts of the continent, and is preserved almost, if not entirely, in its original vigour; and the principles of that system are still very popular upon the continent, as they were found to afford great encouragement to their own manufactures. Can we be surprised that the continental powers should endeavour to encourage the industry of their own subjects, and should feel upon that subject the same anxiety as ourselves? Do we not know also, that our exclusion of their manufactures justifies, and may have occasioned, their exclusion of our own? It has indeed been recommended, that a change should take place in the commercial regulations and prohibitory system of this country.

This is a question of such magnitude and importance, that it requires, and will no doubt receive, a separate discussion; and I will not therefore detain your lordships on this occasion with many observations upon the subject. I would however remark, that if the change which is recommended should be a remedy for any of the evils which we suffer, it is a remedy which it may not be in our power to obtain. The concurrence of a foreign state is necessarily required for the purpose; and with respect to a large neighbouring power, the lessons that France received from her commercial treaty, and afterwards from her continental system, were such as must not only discourage, but would, I am persuaded, totally prevent her from forming such an arrangement with this country. If, however, the contrary were the case, the advantage or disadvantage of such an arrangement must in a great measure depend upon the comparative consumption which might exist, in consequence, between the two countries. If, by such an arrangement, we should import from a foreign country produce and manufactures to a greater amount in value than we should export to that country, we should lose, instead of gaining, by the bargain, and should establish with that country an unfavourable balance of trade.

In foreign trade there are, as appears to me, only two principles upon which you can act with propriety—the principle of reciprocity, or the principle of retaliation; and it is unfortunate that you do not steadily and consistently adopt either of those principles. You do not show more favour or indulgence towards the kingdom of Saxony, which admits all your merchandize, either without any duties, or with duties extremely insignificant in their amount, than you show towards the empire of Austria, which prohibits all your merchandize, and proscribes its importation with the utmost rigour. In justice to the former, you would wish to act with reciprocity; and in justice to yourselves, with retaliation towards the latter.

As to the encouragement which foreign trade is supposed to afford to your manufactures, I cannot think that it is politic to afford an exclusive encouragement to any one branch of industry, or to foster it like a tender exotic, till it becomes unable to bear the least inclemency of the seasons. Nor do I think it politic to render a considerable portion of the people dependent for their subsistence upon foreign countries, and upon the casual market which they may find in those countries for the produce of their industry. We ought to profit by the example of our neighbours in Holland, a nation eminently distinguished by the excellence of some of its institutions, and by its extraordinary sagacity and success in all matters relating to trade and commerce.

The Dutch were great traders, but were not great manufacturers; for they knew that it was wise to purchase when they could sell with advantage; but that it was unwise to employ immense numbers of persons in manufacturing goods for a foreign market, and to become dependent therefore on a market that may be closed by causes which it is not possible either to foresee or to prevent. It is undoubtedly a great advantage, when manufactures enable a country to provide for its own wants; but does it therefore follow, that they should provide also for the wants of other nations, who have both the power and the inclination to manufacture for themselves, or that any reliance ought to be placed on such a source of employment and subsistence? It is a still greater advantage, when manufactures enable a country to provide employment for its own population; but in this country, that most important and most desirable object is in a considerable degree frustrated by the means which are employed —by the very extensive use of machinery on which point I shall afterwards have occasion to make some observations.

Having spoken of the manufacturing and mercantile interests, your lordships will allow me to say a few words upon the agricultural population. That class of the community alone enables us to subsist, and is the basis of our prosperity and power. It is more than any other distinguished by the excellence of its dispositions and habits, as well as by its attachment to the religion and laws of the country, and has remained uncontaminated by that contagion which has been spread with such unexampled activity and such mischievous effect. But I am grieved to say, that the interests of that class of the population have received no favour, no encouragement, no, not even that justice and protection which was due to them, but that they still continue to be burthened by taxes, grievous in their amount, and unjust because unequal in their operation. I do not ask, on behalf of the landed interest, for favour or encouragement, although it is entitled to claim them from many important considerations, and for the national advantage; but I ask for equal justice, and for equal protection. I know that I shall be reminded of the corn laws, upon which so loud a clamour has been raised, a clamour which is the more to be deprecated, as it relates to a subject upon which it may be difficult to enlighten the minds, but upon which it may not be difficult to inflame the passions of the multitude. The corn laws were adopted from considerations of vital importance to the welfare, nay, to the very existence of this country; and not as a protection to the landed interest. I deny that the corn laws were enacted, as has been falsely and malignantly stated in a publication which I have read with unutterable disgust, in order to enable the land owner to receive higher rents. It is not the nominal amount of rents which constitutes the riches of the land owner, but their amount as compared with the value of money, with the wages of labour, with the prices of various commodities, and with the weight of taxation. The corn laws were necessary, in order to prevent this country from being exposed in unfavourable seasons to all the horrors and calamities of absolute famine. This, however, is only a narrow and imperfect view of their importance. They were necessary in order to enable this country, in the most favourable seasons, and under the most auspicious circumstances, to procure a supply of corn, for which, if those laws did not exist, you would depend upon other countries. This would be contrary to every principle, I will not say, of policy, but even of common sense, and it is obvious that corn could not be procured from foreign countries when they will not receive that merchandize which might be sent in exchange, and when they require those precious metals of which we feel and lament the scarcity.

Need I mention the present amount of poor's rates, which is one of the principal causes of the distress which afflicts the landed interest, and is also one of the principal consequences of the distress which is suffered by that and by all other classes of the community? The present amount of the poor's rates is known to exceed by more than one half, and if the accounts of the last year were examined, might appear to be more than double the sum that was required for the whole peace establishment of this country in the year 1792; a fact which would have appeared incredible to our ancestors, and may, it is hoped, appear so to our descendants. If no effectual remedy should be adopted, if the poor's rates should be allowed to increase as rapidly as they have done of late years, the destruction of the landed interest at no distant period is inevitable. Your lordships might, in such a case, still preserve your title deeds, and still continue to be the nominal proprietors of your estates, but the produce of those estates would be partitioned according to the projects of the Spencean politicians. Against this great, this grievous, this growing evil, no effectual remedy has yet been adopted, or even been proposed; for I need not speak of those bills, which, whatever may have been the industry and information of those who prepared them, have been found to be most nugatory and inefficient. God forbid, my lords, that I should wish any measure to be adopted which could in any manner operate with harshness towards the poor, or that could operate otherwise than with kindness and indulgence. I have, however, the satisfaction to believe, that measures could be adopted, which would improve their condition, and would increase their comforts and enjoyments, while on the other hand they would considerably diminish the burthen of the poor's rates. Whatever may be the truth or falsehood of the theory which Mr. Malthus has attempted to establish, I disapprove entirely of the measures which some of his followers have recommended. Unless some noble lord, more qualified than myself for the task, should wish to undertake it, I intend at a future, and I hope no distant opportunity, to submit to your lordships, a motion upon the subject of the poor laws.

Lastly, my lords, as that which is the chief cause of our present distress, but as that which it is also the most difficult to remedy, let us view the financial situation of this country, groaning, as it does, under such a burthen of taxes and of debts, as never yet afflicted any country upon earth. The pressure of that taxation is as galling as its inequality is unjust and injurious to the interests of the country. It may be proved by a clear calculation, that every individual in the country who is not a land-owner, pays one third of his expenditure in taxes, but that every land-owner pays more than one half, that is, eight-fifteenths of his expenditure in taxes. Under such a burthen, the result of long wars and of the funding system, it is perhaps impossible that this country can enjoy prosperity, I mean, of course, absolute, and not relative prosperity. But though prosperity may at present be unattainable, it is the anxious wish of the people to receive, and it is the duty of parliament to grant, every possible alleviation of the public burthens. It was no doubt with great reluctance, but from a mistaken view of the public interest, that ministers were induced, last year, to propose a measure which was so generally, and, I conceive, so justly unpopular, as that of imposing, in a period of profound peace, and several years after the termination of the war, an additional and permanent burthen of three millions of taxes upon the suffering people of this country. I am ready to do justice to the motives which influenced their conduct, and to the importance of the object which they had in view, the maintenance of public credit. But it ought to have been considered, that any measure which renders the debt more onerous, renders it also more odious to the country, and tends unhappily to create a feeling of anxiety and impatience to shake off that burthen at any sacrifices and at any risk. The security of the public creditor was therefore weakened instead of being strengthened by that measure. Exclusive of that consideration, it was, I think, the duty of ministers to have adopted, under the circumstances in which the country was placed, a contrary system; and instead of imposing three millions of new taxes, to have diminished to the amount of several millions annually, the taxes which already existed. It was their duty to adopt measures which might tend to equalize the grievous burthen of taxation. It was, however, at that moment that they began to make an experiment, which was certainly very desirable in its object, but which was very singular in its mode of execution. I speak of the measures which were adopted, with the view of enabling the Bank to resume cash-payments. I do not mean to dispute the propriety and importance of returning as speedily as may be done with safety, to the legitimate standard of value, to the only system upon which you can act with prudence, that of a convertible currency. But was the time which was chosen for the purpose the most proper? Were the means which were employed, the best adapted to the object? If that measure is to have the effect which was intended; if the circulating medium has been depreciated, as we have heard it stated, twenty-five per cent. and if it is in consequence to be restored to its proper value, it is obvious that the pressure of taxation, which is one of the chief causes of the distress of the country, must be increased in the same proportion.

In the observations which I have made upon the distress which is now suffered, nothing has been farther from my wishes and intentions, than to excite any feelings of despondency. But I have considered it to be my duty to state my opinions upon the subject fairly, freely, and fully to your lordships, and to represent that the evils with which we are afflicted are most severe; that the necessity of affording some relief is most urgent, and that your measures must be commensurate with the magnitude of the object. I proceed therefore to a part of the subject, the consideration of which is as pleasing as that of the other has been painful—the consideration of those measures by which we might be able, not to remedy completely, but to relieve very considerably, that which is the cause of so much distress, of so much discontent, and of so much danger to the country, the want of employment for the poor.

I will, upon this occasion, content myself with stating to your lordships, the general principles of the measures which I shall recommend. The consideration and adoption of those measures must necessarily precede the examination of the manner in which they may be carried into effect, and the explanations which I should offer upon the mode of execution, would not only be premature at present, but might lead to very minute and very protracted discussions, which could be conducted with more convenience and advantage by the committee which I will propose to your lordships to appoint.

In the measures that I shall now propose, I have in view two principles, which I consider to be most important, that of providing permanent employment for the poor, and that of enabling them to secure an independent subsistence. In the former respect, those measures are distinguished from the plans which have been occasionally adopted, of employing the poor in public works; a mode of employment which is generally unproductive, and must be considered of a temporary nature, and has, besides, the disadvantage of being attended with very considerable expense. In the latter respect, those measures are distinguished from the plans which have been proposed for employing the poor in work-houses. Your lordships know that an establishment has been formed by Mr. Salisbury, under the name of "The School of Economy," which is well calculated to employ the poor in work-houses, with considerable advantage to the parish, and with a consequent reduction to the poor's rates. Great merit is due to that gentleman, for founding that useful institution, which has many advantages, though it does not profess to secure an independent subsistence to the poor.

The first of these measures is, the cultivation of waste lands; and if I required any confirmation of the opinions which I entertain upon that subject, I should find it in the project which is now about to be executed at Dartmoor. With respect to that undertaking, I have not such information as would enable me to form a correct opinion on the probability of its success or of its failure; and much will, of course, depend upon the general principles on which it is conducted; much also on their mode of execution. Such, however, has been the ingenuity and perseverance of the gentleman, who is understood to be principally concerned in the undertaking, the usher of the Black Rod, that valuable produce has, I am informed, been drawn from a spot, which was considered to be totally barren and useless. If the undertaking should be attended with any success at Dartmoor, it cannot fail in any other place; for I do not suppose that there exists in the whole island, a more unpromising, and perhaps a more unprofitable spot, than that which has been selected for the purpose.

It has, I am aware, been stated, that if waste lands could have been cultivated with success, they would have been cultivated long since. It does not, however, follow, because a certain tract of land could not be cultivated with advantage as a large farm, with the large capital and large establishment which is wanted for the purpose, that it could not be cultivated with advantage, when divided into small allotments, which would require no other labour than that of the occupier and his family. For such cultivation, the spade husbandry would, I am convinced, be found very advantageous. It has, I know, been attempted to ridicule that mode of husbandry; but the fact is, that in a part of the country with which I am well acquainted, and in which, happily, there does not exist as much distress as in most others, the expence of digging land is not greater than that of ploughing it, and the produce is considerably more abundant, which we know, from scientific reasons, if this were a proper place for explaining them, must always be the case. One of the principles, therefore, which I should propose for the cultivation of waste lands, is, that of dividing them into such portions as could be tilled by the occupier and by his family, without requiring any other labour whatsoever.

Nor does it follow, because a certain tract of land could not be cultivated with advantage for want of a market, or without the risk of glutting the market with the new produce which would be raised, that it could not be cultivated with advantage when the greatest part of that produce is consumed by the occupier, without his requiring any market, except for the purpose of enabling him to provide for his other wants, and to pay the moderate rent which would be expected. Under such circumstances, the state of the market would not prevent the cultivation of such land, and would become of very little importance to the occupier, or consequently to the proprietor. Another principle is, that colonization must precede cultivation, to provide the means of tilling the land, and also a demand for its produce. The first measure to be adopted for the purpose, is, that of building cottages, which could be done at a very moderate expense, as they would be constructed by the labour of those who are afterwards to inhabit them, and the rents would be proportioned to the value of the materials which would be employed, and which, in some parts of the country, would be very inconsiderable.

Another principle which should be followed, is that of rendering the system of cultivation advantageous to the owner as well as to the occupier, in order that it may be applicable to such lands as are private property, as well as to those which are crown lands or common lands, and to lands which are of an inferior quality, as well as to those which are termed waste lands. It has, indeed, been supposed, that such a system of cultivation would tend to encourage population; but it appears to me, that the effect would be directly the reverse. Imprudent marriages among the poor, are some of the results of that improvidence which naturally arises from their present situation. When a labourer has reason to apprehend, and, perhaps, from experience to know, that his own exertions, whatever may be his industry or good conduct, will not suffice for his support, and will not enable him to subsist without receiving parochial relief, he becomes careless of futurity, and, in the degraded situation to which he is reduced, he trusts to the parish for assistance in all cases, and under such circumstances is unwilling to debar himself of the enjoyments which he would receive from a family. But if his condition were the reverse, if he enjoyed comfort and independence, his children would beware, lest through their own imprudence or misconduct, they should fall from the station in which they had lived into one of poverty and degradation. This is the moral restraint which is found to operate with almost constant success amongst the middle and higher classes of society. The example of Ireland does not apply to this case, because the superabundant population of that country does not arise from small occupancies, but from the pernicious system of leases for lives, and of sub-letting. I speak in the presence of many noble lords who are connected with that country, and who know that this statement is correct. If, however, we look to the example of Ireland, we shall find that in that country, which possesses neither the advantages nor the disadvantages of poor laws, for they may be considered in both views, the labouring classes could not be supported if they did not occupy small portions of land, which enable them to provide subsistence for their families. Can it then be doubted that a system which alone enables Ireland to subsist without the assistance of poor's rates, would in this country operate very beneficially in diminishing the amount of the poor's rates? We know, that such is the opinion of those who have devoted much time and attention to the subject, who have maturely considered it, and who have exerted themselves in a manner which is most meritorious and patriotic.

The system which I recommend to your lordships, would effect that which, at all times, is very desirable, and is at the present moment peculiarly important; it would give to the labouring classes an interest in the soil. It would also tend to re-establish that order of men, which once formed the happiness and strength of this country, but which, unfortunately, has now become nearly extinct, the class of small yeomen. It would raise to that independent station, many of those who are now labourers, and would enable them to secure their subsistence by labouring for themselves instead of labouring for others; and by diminishing the number of the labourers, you would proportionally increase the demand and the wages of labour. Thus would your lordships encourage the industry of the labouring classes, and revive amongst them those habits and feelings of independence, which are essential to their welfare; and thus would you secure the means of permanent employment, and of comfortable subsistence to many thousands of your fellow subjects who are now in the most abject state of misery and distress.

Another measure which I would propose to your lordships, is the encouragement of the public fisheries. Upon this point I speak from the authority of the late Mr. Cobb, a person whose talents and information upon this subject were unrivalled, and who, in consequence of the valuable discoveries which he had made, received a pension from government under the administration of Mr. Pitt. Some of these discoveries have, I fear, followed him to the grave, but others are preserved in some of his manuscript papers which are in my possession. His views related partly to improved modes of fishing, and partly to the mode of conveying fish from the coasts into the interior of the country. I am aware that the prices of labour, and of every article, have very considerably increased since the period in which he wrote, which is now about thirty years ago; but he then proved by calculations the most perspicuous and convincing, that sea-fish could be delivered in a fresh state, and in any quantity, at a distance of forty miles from the coasts, at the rate of one penny per pound, and at the distance even of one hundred and twenty miles from the coasts at the rate of three pence per pound. I would explain to the committee, if it should be the pleasure of your lordships to appoint it, in what manner the execution of this project could be encouraged; and it was proved by Mr. Cobb, that a very large profit would be received by those who might undertake it. It would not only afford abundant means of employment for sea-faring persons in catching the fish, and for other persons in conveying it into the interior of the country, but would also provide food at a very cheap rate, as the source from which it is taken is quite inexhaustible, as the implements which are requisite for the purpose are by no means costly, and as no other expense would be incurred than that of the labour of the fishermen.

The last measure to which I wish to call the serious attention of your lordships is that of establishing proper regulations with respect to the machinery, which is now so generally employed for abridging labour. That the unlimited use of such machinery has in some cases occasioned, and in other cases very much aggravated the public distress, is a fact which cannot be denied, and which does not require to be proved. It is stated even in the papers which were lately presented to parliament by the executive government, as one of the causes of the distress, and, therefore, of the discontent which existed in the manufacturing districts. The first victims of such machinery were the agricultural poor, whose domestic industry has been destroyed by it, because it prevented that industry from being exerted with any prospect whatever of advantage. In proof of this assertion, I beg to state to your lordships what was the situation, forty years ago, of the labouring poor in a part of Devonshire with which I am connected. The wages of labour were then six shillings per week, the price at which they had continued from the year 1728, as I can show by documents to which I have referred. The wages of labour in that part of the country are now seven shillings per week; and your lordships will judge what was the comparative situation of the poor, when you consider the immense difference in the value of money between the two periods. But at the former period, the wife of the labourer was able to earn as much by spinning, as he did by his daily labour. The earnings of a family at that period were, therefore, twelve shillings per week, and they are now only seven, although the price of every article of subsistence has been since that time enormously increased. In that part of the country the situation of the labouring classes has become so much worse, that the change is truly afflicting, and the causes deserve your serious investigation. The evils which thus afflicted the agricultural poor, are now severely felt by the manufacturers themselves, many thousands of whom are now deprived of employment, and even of those who are employed, I know from indisputable authority, that the earnings do not, in some cases, exceed ten shillings per week, by working eighteen hours out of the four and twenty, an extent to which human labour ought not in any case to be exerted, and to which it cannot be exerted for any length of time. I speak with all proper deference to the opinions of those who differ from me upon this question of political economy; but I must confess, that the arguments by which it is attempted to justify the unlimited use of machinery, appear to me, upon the most mature reflection, to be utterly fallacious. It is true, that in general, and when trade is allowed to take its natural course, the supply will be equal to the demand; but the converse of that proposition, the principle upon which the manufacturers seem to act, that the demand will be equal to the supply, is false, and is contradicted both by theory and by experience. If manufactured goods were to be given away, instead of being sold, and such has already been very nearly the case, when they have been sold at a considerable loss upon their prime cost, the consumption of them could not be indefinitely increased, nor would their consumption in the home market be much diminished if less machinery were to be employed. Though goods which are manufactured by machinery are lower in price than those on which manual labour has been employed, their quality is in many cases very much inferior, and the real difference in the price is therefore far less considerable than is generally supposed. The great advantage which arises from manufactures, is that of providing employment for the poor; and this principle is recognised not only in your Statute Book, but also, by the whole system of your commercial regulations. It could be demonstratively proved, that many articles could be purchased from our neighbours at a much lower price than that at which they could be manufactured in this country, and that government would derive an additional revenue by allowing them to be imported on the payment of moderate duties; but this objection would always be made, to which it is difficult, if not impossible, to return a satisfactory answer,—will you deprive of employment a considerable number of your artizans? By the general use of machinery they have been most effectually deprived of employment, and that evil, of which the melancholy and alarming results have already been witnessed, is constantly increasing. What was the conduct upon this subject of Frederick the Great? which I quote not as an example for our imitation, but in illustration of my argument: That sovereign, whose views were directed to the glory of his monarchy, and were not influenced by very tender feelings of humanity and compassion, desired, when the model of a machine was presented to him which tended to abridge human labour, that it should be preserved as a specimen of ingenuity, and that the inventor should receive a pecuniary compensation for the time, the trouble, and the talent which he had employed upon it; but he desired also, that the inventor should immediately quit his dominions. In countries where there is a deficiency of population, and in new colonies, the use of such machinery must be eminently beneficial; but ought it to be allowed without any restriction in the present circumstances of this country, which, as we are told in all quarters, suffers from a superabundance of population? There is undoubtedly some machinery which deserves not only protection but encouragement, such as that which performs mechanically those processes which are either injurious to the health or dangerous to the lives or limbs of the workmen: nor should I wish to interfere with such machinery as affords merely a substitute for physical force, nor, except in particular cases, with such as performs those processes which, being of a complicated nature, might otherwise require many tools and much instruction for the purpose. It is by a minute and careful examination of the different species of machinery which is employed, that the committee would be enabled accurately to distinguish between that which may be allowed, and that which ought, from considerations both of justice, and of policy, to be restricted. The objections which I have stated apply particularly to the machinery which supersedes the occupations of domestic industry, such as spinning and lace-making, and such arts as can be easily learned and easily executed by the labouring classes of the community. When such machinery is used, when industrious workmen are in consequence deprived of employment, and obliged to subsist upon the bounty of others, those by whom such evils are inflicted, should be called upon to relieve them, and to support those who, if such machinery did not exist, would be both able and willing to provide for their own subsistence. This is not a new principle, but one which is practically followed by the agricultural population. If in consequence of the exactions of the clergyman for tithes, or if from any other cause, the owners or occupiers of land in a parish determine to convert their arable grounds into pastures, they are required to support those who are thus deprived of employment. If the manufacturer were to be placed, as in justice he ought to be, under a similar obligation, and were to bear only his due portion of the burthen which is thus imposed upon the other classes of the community, his own personal profits would not be acquired, as they are at present, without his incurring to any considerable degree an additional expense, and without his sharing as he ought, in those taxes which are required to support those whom he has thus deprived of the means of supporting themselves. It seems to be argued as if the private profits of the master manufacturers were in all cases, and necessarily, a profit to the country; but place on the other side of the balance the losses which are sustained by the artizans, and the expense which is incurred in supporting them, and you will then judge whether the unlimited use of machinery can be considered as profitable to the whole community. If, however, by the regulations which should be adopted upon this subject, an inconvenience should be sustained by the master manufacturer, it could not be commensurate with the evils which are now suffered by the artizans; but I have the satisfaction of believing, that the internal trade of this country would be very little affected by such regulations. Though the price of some manufactured goods would be somewhat increased, the means of purchasing them, and the number of purchasers, would also be increased. I may, perhaps, be asked, whether the foreign trade of this country could subsist, if such regulations were to be adopted, with respect to some machinery? To which I might reply,—can the foreign trade of this country be expected to flourish even without such regulations? I see little or no reason to hope that the foreign trade of this country will ever revive to any considerable degree, and my fears upon that subject are the stronger, when I reflect upon the prohibitory system which is still adopted in many countries, and which the manufacturers in some countries, anxiously wish to render even more rigid than it is at present. With respect to foreign manufactures, I cannot expect that the improvements of machinery in this country can long be kept a secret from them, when so many artizans, who used it, are now deprived of employment, or that improvements will not be made in the machinery of the continent. Should it however still continue to be more imperfect than that which is used in the country, the disadvantage on their side may in great measure be counterbalanced on the continent by the difference of the wages of labour. It might, perhaps, be practicable, in forming regulations upon the subject, to admit exceptions with respect to such goods as are manufactured solely for a foreign market. I know that strong prejudices exist in favour of the unlimited use of machinery; but I am, however, convinced, and that conviction is the result of much reflection, that it is indispensably necessary to adopt some regulations upon the subject, otherwise, great public distress will continue to exist, and in many cases the exertions of some of the labouring classes will be paralyzed, their industry and their means of occupation will be destroyed, their subsistence will be derived only from parochial relief, and their condition will become helpless if not hopeless.

Such, my lords, are the measures which I would most strongly recommend to your adoption, and which I submit to your candid judgment. Though unconnected with each other, they have in view one and the same object. If your lordships should appoint the committee which I shall propose, and if it should, after a full investigation of the subject, adopt the general principles of those measures, I would, upon receiving its report, move for the appointment of a separate committee for each object, to consider the most eligible mode of carrying it into execution. Whatever difference of opinions may possibly exist upon the practicability and propriety of any of those measures, there can, I think, exist but one opinion on the vital importance of the object, which imperiously calls for your speediest and most attentive consideration. The motion which I shall submit to your lordships, does not prescribe to the committee any specific mode of accomplishing that most desirable object, and does not preclude the adoption of any measures which, upon deliberate examination, may appear to be the most eligible for the purpose; but the necessity of the case is most urgent, and will not allow you to postpone that examination without danger, whatever difficulties the subject may present. I conjure your lordships to meditate day and night upon the measures which ought to be adopted in this great crisis of our fate, to alleviate the distress with which the country is now afflicted, to allay the discontent which at present pervades it, to avert the dreadful consequences which may ensue, to preserve the public peace, to restore, as far as is yet possible, our former prosperity and happiness; and in the language of the prayer which is daily read before us, "to unite and knit together the hearts of all orders of men within the realm." I therefore move, "That a select committee be appointed to consider the practicability and the means of providing employment for the poor, particularly in the manufacturing districts."

The Earl of *Liverpool* did not intend to enter into any discussion of the various topics which his noble friend had introduced in the course of his able speech, because, if he did, he should be obliged to trespass on the patience of their lordships to an extent which they could hardly be expected to forgive, since a discussion of them would lead to an examination of the whole principles of political economy, and of the origin of agriculture, of manufactures and of commerce, not only in this, but in every other country. He was also the more inclined to defer the discussion of those topics, because another opportunity would shortly present itself, when it could be carried on with greater practical advantage than it could be carried on at the present moment. He should preface the few remarks which he was about to offer to their lordships by thanking his noble friend for the candid manner in which he had brought forward his present motion. His noble friend had pointed out the object which he wished to accomplish in the most clear and manly terms, and had explained most distinctly the views with which he intended to go into the proposed committee; and and yet, with the exception of the benevolent intentions entertained by his noble friend of benefiting the poor in the first place, and the country in the second, there was not a single position in his speech to which he was not prepared to give his most direct and unqualified disapprobation; for the propositions which his noble friend had maintained went to subvert the whole political economy of the country, and to make an entire change in the whole of its commercial relations. He had commenced his speech by laying down a most dangerous distinction between the manufacturing and the agricultural interests; and by stating that the policy of the British government, which, in reality afforded nothing more than equal protection to both, had hitherto led it to support the former at the expense of the latter interest. He, however, was one of those who did not understand how the two interests could be separated; for it appeared to him, that there was nothing which supported the one that did not at the same time support the other also. Manufactures had made great and rapid progress during the times in which it had been their fate to live, and had raised the country to a degree of power and glory which it could never have obtained without them. In what manner had they made that progress? By restrictions upon agriculture? Most assuredly not; for when had they ever been supported in defiance of it? Agriculture, on the contrary, had been greatly benefitted by the increased circulation of manufactures; for was there any man who made a fortune by them who did not invest such part of it as he could withdraw from his business in landed property; or, if he did not so invest it himself, who was not desirous that it should be so invested, for greater security, by the heirs who succeeded to it?—But his noble friend had also argued as if all the protection of government had been extended to the interests of the manufacturers, and withdrawn from those of the agriculturists. But how far was this view of the matter correct? True it was that the importation of foreign manufactures into this country could not take place except under certain restrictions; but was not the agricultural interest protected in a similar manner? Could any foreign nation import cattle into this country, or sheep, or wool, without the payment of heavy duties? Certainly not. Was not the cultivator of grain also protected by prohibitions, forbidding the importation of foreign corn, except under certain stipulations? Were there no such things as corn-laws to give them protection? He was not now arguing whether that protection was rightly afforded or not: he was only anxious to show, that, if protection had been afforded to the manufacturer, it had not in any degree been denied to the agriculturist. Into that question he would not at that time go any further, though he thought it necessary to say a few words regarding the other objects which were contemplated in the motion of his noble friend. He should, in the first instance, dispose briefly of one of them, to which he intended no opposition—he meant that which went to encourage the fisheries. He could assure his noble friend, that there was not any subject on which his majesty's ministers had bestowed more of their time and attention than they had done upon this; and he was inclined to think that every exertion which could be made had been made, to increase the fisheries. In that opinion he might be mistaken; but if either his noble friend opposite, or any other noble lord, could devise a mode of procuring, first of all, a greater supply of fish, and, next, an adequate market for that increased supply, which had not as yet come under his own notice, he could assure them he should be very happy to receive such information, and to offer, in return, such assistance as he could give. He thought, however, that if his noble friend were to review the minutes of evidence which had been taken upon this subject, his noble friend would come to an opinion not very different from that which he himself entertained. But though he was not inclined to oppose this object of his noble friend, if it were brought forward separately, he was obliged to oppose the accomplishment of his other objects, by an imperious sense of duty; for his noble friend's views regarding them were founded upon the most erroneous principles; and, though they proceeded from the best intentions, were calculated, if carried into execution, to produce most mischievous consequences. — As to the cultivation of waste lands, which his noble friend had proposed, he must observe, that there was no subject which had attracted more of the attention, not only of parliament, but also of political economists throughout the country. For his own part, he was much inclined to doubt the expediency of any measure which would invest fresh capital in the cultivation of lands now waste. He was for leaving capitalists to find out the way in which their capital could be best employed, being perfectly convinced that, under such circumstances, the interest of the public was not distinct from the interest of the individual. Besides, the misfortune of the agriculturist was not that too little, but that too much waste land had been cultivated—a misfortune which had arisen out of the high price of corn during the war. He positively knew that this was the source of the mischief, and that it had led to the breaking up of several waste lands, which had previously been used at a small price for several useful purposes. More than one half of the individuals who had given their attention to this subject were of opinion that, if the capital which had been expended on the new land had been expended on the old, it would have produced a much greater profit to the cultivator, and a still greater advantage to the community at large. He himself thought, that if they were to proceed to cultivate more waste lands, they would double, treble, quadruple, nay, quintuple all the present agricultural distress. He was of opinion that this would be the case, supposing that the scheme were to be carried into execution at the expense of private individuals; but the evil would be still further aggravated, if it should be carried into execution at the public expense, as his noble friend had just proposed. Several of the noble lords whom he was then addressing were themselves agriculturists, and well aware how small were the profits at present derived from agricultural pursuits: he himself, who sometimes engaged in them, partly for health, and partly for amusement, knew them to be so from his own experience: he would therefore put it to their lordships, whether any thing could be more ruinous than the cultivation of waste lands, under such circumstances, at the public expense. Indeed, he would ask them, whether it was consistent with the dignity of government to descend to speculations in land, and with its wisdom to undertake the cultivation of that kind of land which no other person could cultivate with profit? He thought that only one answer could be given to such questions; but, whether that were the case or not, there was another consideration which ought not to be overlooked. It was this—Where was the money for such a scheme to come from? The country was already burthened with a great weight of taxes for the payment of its army, its navy, its civil establishment, and the interest of its national debt. In addition to these taxes, it was now proposed that a great revenue should be raised for the purpose of cultivating certain waste lands at the public expense, which all allowed no other person could cultivate with profit. Upon these grounds he must certainly oppose such part of his noble friend's motion as related to the cultivation of waste lands.—He should now call their attention to the remarks which his noble friend had made upon the employment of machinery; and here he would take the opportunity of informing him, that, next to the spirit of her people, England was indebted for her commercial power and greatness to the inventions which that people had made in machinery. It had given, as it were, legs to the lame and sight to the blind: it had inspired the dull with enterprise, and to the enterprising had given additional energy: it had placed the country, in spite of all its disadvantages, on a level with the most favoured nations, and had enabled its merchants, who paid a heavy price for labour, to compete with those of other nations, who paid but a trifle for it. Did his noble friend conceive that the commercial greatness of England had arisen from any superior advantage in its climate, any superior fertility in its soil? No. He might go to the east or to the west, to the north or to the south, and find climates of more genial influence, lands of much richer quality—but he would not find in their boundaries men whose mind was a richer treasure to the land which contained them than any which either soil or climate ever produced. He would find that they did not number among their inhabitants a Watts, a Bolton, an Arkwright, and many other names to which England was indebted for its present greatness—men who were as useful to their country, in their generation, as any of the legislators of old were in theirs. Let him visit our manufacturing towns—for instance, Birmingham; and he would see the greatest inventions matured, and brought to perfection, by those whom he might consider as the meanest and most abject of mankind, but who were, notwithstanding daily rising, from the humble situation in which Providence had originally placed them, to wealth and honour, and eminence in the state. If, therefore, his noble friend was for discouraging the employment of machinery—if he was for putting down the bold and enterprising and inventive spirit of our industrious mechanics, he was for putting down and discouraging that which had been in times past, and must again be in days that were to come, the source of much of our welfare and happiness. True it was that the employment of it had been productive of distress as well as of prosperity; but all experience proved that, wherever there had been great wealth, there also had been at the same time great poverty; and that, wherever great enterprise had existed, that enterprise had always been found forcing itself beyond its natural level, and not returning to it until it had experienced great distress and misery. To that state the enterprise of the country had at present reduced it. But were their lordships therefore prepared to say that they would retrograde to the first ages of society, and give up all the benefits which had since accrued to them from the exertion of human ingenuity? Could they with advantage go back one single step? He thought not. They must feel that they owed a mighty debt to the population which was now looking up to them for support and consolation; and, feeling that obligation, they ought likewise to feel, that neither the laws of God nor of man permitted them to shrink from the responsibility attached to it. Being impressed, therefore, with the conviction that the objects contemplated by his noble friend's motion were such as he had described them to be, and were calculated to produce pernicious results, which had, by some fatality, escaped his noble friend's observation—being unwilling at the same time to put a decided negative upon a motion which was intended to relieve the distresses of the poor—he felt it necessary to conclude the remarks which he had made to the House by moving the previous question.

Earl *Stanhope* made a short reply, in which he complained that his noble friend had misunderstood him both on the subject of waste lands and on that of machinery. He regretted that the money spent in useless expeditions such as that to the North Pole, was not laid out in the erection of cottages; remonstrated against the rejection of his general motion, on the ground upon which his noble friend had objected to his specific plan; and declared that as his opinions on the subject were unchanged he should feel it his duty to enter them on the Journals.

The previous question was then carried without a division.

PROTEST AGAINST THE REJECTION OF EARL STANHOPE'S MOTION.] The following Protest was entered on the Journals;

"Dissentient,

"1st, Because it is, in my opinion, the duty of parliament to consider the practicability and the means of alleviating the distress which at present exists in consequence of the want of employment for the poor, particularly as that distress has in many parts of the country rendered dangerous the machinations of the disaffected and has already produced much discontent, which, unless relief should be afforded, must be expected to continue, and even to increase.

2nd, Because I cannot contemplate without deep regret, and serious apprehension, the continuance of those calamities which are at present caused by the want of employment for the poor, which tend to disturb the public peace, as well as to destroy the public prosperity, and which, from every consideration of humanity and policy, are much to be deplored.

3rd, " Because it appears to me, that a very considerable number of the poor might be provided with employment: 1st, By encouraging the public fisheries, which might prove an abundant source of occupation and subsistence. 2ndly, By promoting the cultivation of waste land, of which many millions of acres still exist in this island. And 3rdly, By adopting proper regulations respecting the use of the machinery, which, by abridging labour, has deprived many industrious persons of employment, both in agriculture and in manufactures.

4th, " Because the adoption of such measures would, in my opinion, diminish very considerably the amount of the poor's rates, and thereby tend to relieve the severe distress which is now suffered by the agricultural interests of the country, and to revive in the labouring classes, those habits and feelings of independence which are inseparably connected with their welfare.

5th, " Because the relief which might be afforded to the poor by such measures would not be precarious, transient, of an eleemosynary nature, and would not be attended with such an expense as would be onerous to the state.

6th, " Because the inquiry which was recommended, seems particularly expedient, under the present circumstances of the country, which is afflicted with a grievous burthen of debt and taxes, and which suffers also from a stagnation of trade, arising in great measure from causes which may prove to be not of a temporary nature, and which it may not be in the power of this country to control.

7th, " Because if the measures which were suggested for the employment of the poor were considered to be impracticable, or inexpedient, the appointment of the committee which was proposed, would, in my judgment, have been proper, in order to consider of other means by which that most important, and most desirable object, might be accomplished.

8th, " Because the appointment of that committee would have been highly gratifying to the people, and would also have afforded an additional proof, that this House is anxious to investigate the causes of any public distress, and as far as is practicable, to administer relief.

9th, " Because that committee would, by its inquiries, have furnished more ample and satisfactory information, than this House has yet obtained, on a subject most interesting in itself, and peculiarly important at the present moment, the state and condition of the labouring classes.

10th, " Because it has not been shown by any argument which has been adduced, that it would in any respect be inexpedient to institute the inquiry which was recommended, and which seems to be imperiously demanded by the wants and wishes of the poor. (Signed) STANHOPE."

HOUSE OF COMMONS.

Tuesday, May 16.

COMMERCIAL RESTRICTIONS—PETITION FROM THE GLASGOW CHAMBER OF COMMERCE.] Mr. *Finlay* said, he held in his hand a petition from the Chamber of Commerce of Glasgow, a body of gentlemen who were highly interested in the commercial prosperity of the country, praying the establishment of a free trade, and the removal of all restrictions upon commercial imports and exports. Upon a subject of such vital importance, he trusted the House would grant him its indulgence for a few moments. The presentation of a similar petition from the merchants of the city of London made it the more necessary that he should say a few words on the present occasion. The petitioners were of opinion, that the distresses of the commercial and manufacturing interests of this country were much increased, if not in a great measure caused by the various restrictions which impeded our imports from and exports to foreign countries. These restrictions having been so long continued in this country, led other nations into a belief that it was to such regulations we owed our prosperity, and thus induced them to follow our example. The petitioners were of opinion, not only that such restrictions ought to be removed, but that their removal should not be contingent upon the conduct adopted towards us by any other country. It was unnecessary for him to say, that the restrictions of which the petitioners complained had not been enacted by the present administration; but he could not help regretting that government had not availed itself of the many opportunities which offered of removing them. If it should be found that the history of our commercial policy was a tissue of mistakes and false notions, it surely was not too much to express a hope that that policy should be given up, and a permanent system of commercial regulations established in its stead. It would be a cheering consolation and excitement to the commerce of this country, if it was shown that parliament was determined to set its face against those pernicious restrictions by which we had been so long shackled. When on a recent occasion, a free trade was in a great measure established to certain countries, the restrictions with respect to that with China were continued in full force. Now, let the House see the different situations in which a British merchant and an American merchant were placed by this regulation. The Americans were allowed a free trade, the English merchants were debarred from it; they could not trade south of the Cape of Good Hope unless in vessels of a certain tonnage. This of itself was a severe hardship. Such, indeed, were our regulations on this subject, that it was impossible, even had it been intended, to devise any more effectual means of aiding the American to the prejudice of the British merchant. Suppose a British and an American merchant, both in London, to hear at the same time of a favourable market in China for certain British commodities, or elsewhere south of the Cape. Upon such occasions there are two things necessary — secresy and dispatch. The American can charter a ship of 150 or 200 tons burden, freight her with the articles in demand, and sail in a week. But what is the situation of the English merchant? He must first employ counsel, and make himself acquainted with the law on the subject.—Next, he has to apply to the East India Company for a licence for the ship, and another for the supercargo. But as the Company do not grant any licences to supercargoes, but such as return in the ship to England, he has probably to wait a month. He is then informed, that the licence cannot be granted, and he of course applies to the board of control. Thus, at the end of six weeks or two months, when it is publicly known that such articles are in demand, he is able to freight a ship, but not one fit for the trade—not one of 200 tons burden, but a ship of at least 350 tons. Here then, after publicity has been given—after an opportunity offers for all who please to enter into such a speculation, he is enabled to forward his vessel at double the expense of the American merchant, and with the disadvantage, too, of being forestalled in the market. He would put it to the House, whether this was not a hardship—whether it was not a drawback upon our commerce which called for redress? He did not mean to propose that the privileges of the India Company should be infringed upon. On a former occasion, he had opposed the granting of certain privileges to that company, but these privileges having been granted, he should be the last man to propose a violation of them. It was not enough to say that the Company did not avail themselves of these privileges, and therefore they should be deprived of them. What he wanted was, to draw the attention of parliament to the subject; let the consent of the Company be obtained, if it could be obtained, for the removal of those restrictions; but in the mean time, there were many points on which the trade of the country could be opened with infinite advantage to its commercial prosperity. There was, for instance, the circuitous trade, and the trade to places not under the control of the India Company, or not traded to by them. It certainly was matter of choice with the India Company, whether or not they would tolerate British merchants to participate in those advantages enjoyed by the Americans; but it was not too much to expect that they would give the former the preference. If the noble lord (Castlereagh) were in his place, he would remind him of what he promised when the Circuitous Trade bill was before the House. The noble lord on that occasion, pledged himself to an inquiry into it on the return of peace.—He should not trouble the House much further on the subject, as he hoped, that it would, at no distant period, be brought more particularly under discussion, to the benefit of the manufactures and commerce of the country. There were yet, however, a few points to which he wished to refer. It was urged, that a free trade was very good in theory, but that it could never be beneficially reduced to practice. He, however, felt convinced, that it could be reduced to practice, at least to a greater extent, and much more beneficially than was contemplated by those gentlemen who opposed it. So convinced was he of this, that he felt surprised it was not taken up and enforced by his majesty's ministers, and carried as far as it was found beneficially practicable. An hon. member had on a former evening pointed out many cases where restrictions could be removed without trenching on the privileges of the India Company, and by which the commerce of the country would be greatly improved. It would be of the greatest advantage if the shipping interest were allowed to import freely all the produce they thought proper from other countries. This would not only benefit our trade, but would also benefit the shipholder. The bonding system was also alluded to on a former occasion. He would be glad to know what disadvantage could arise from a regulation of that system? The true principle upon which it was originally founded, was that of enabling us to import for the purpose of exporting the produce of one country to the country where it was consumed. It was clearly our interest, that what was imported into this country should be imported at as small a charge as possible. He wished also to throw out a suggestion as to the propriety of abandoning duties on the raw material. There were certain articles upon which such a duty operated most injuriously.—There were one or two other points to which he wished to allude. It was of the utmost importance that our revenue laws should be placed on a steady and permanent footing. Extents in aid also was a subject which demanded inquiry. It surely never was the intention of the legislature that a private individual should seize on another's property, to the prejudice of other creditors, under pretence of a debt to the Crown. There was another point which he conceived to be a great impediment to the wealth and commerce of the country, he meant the Usury Laws. Those laws were a great restraint on the proper employment of capital. He was aware that many gentlemen differed widely from him on this subject. But he hoped that an inquiry would take place, and he was sure the House would see the necessity of altering the existing regulations. The Bankrupt laws also called for a revision; it was impossible that commerce could flourish under the existing bankruptcy regulations. One word more on the subject of a free trade. If it was deemed dangerous at once to remove all restrictions, at least they might be removed on a few articles. He was sure, that if this were done, the competition which it would cause would be of great advantage to the country. There were some of our manufactures of which he would speak with hesitation; but with respect to the cotton manufacture he felt no hesitation in saying, that a removal of all restrictions would be attended with infinite advantage. He wished to see the cottons of all other countries imported here: from what he had seen abroad, he was sure it would be attended with benefit. We had something to learn, and as to any continental markets outselling us to any extent, it was out of the question. He thought a removal of restrictions as to cutlery and hardware would also be of service to both those trades; besides, it would set to other nations an example of what was the only true system of commercial intercourse between nations.—The hon. member, adverting to what was said by Mr. Baring on a former evening, observed, that he differed with that hon. member on two points; first, he did not think that the other nations of Europe, or even that America could more easily recover from its embarrassments than we could. It was certainly true with respect to France, but not with respect to Germany or America, though the debt and taxation of the latter country were trifling compared to ours. Neither did he look so despondingly to our situation as that hon. member did. He was happy to see our commerce and manufactures reviving, and he hoped in a few months to see them flourish. The hon. member had truly said, that peace and good order were essential to prosperity. The people were by degrees coming back from that delusion and infatuation into which their own folly had plunged them, and which, had they persevered in it, must have worked their destruction. He expected in a short time to see the wages of the labourer such as to afford him those comforts of which he had for a time been deprived. He would not trouble the House further. He would leave in their hands the petition; it was one which demanded their serious consideration, equally from the character of the petitioners and the importance of the subject of which it treated. If the great man, Adam Smith, whose sentiments the petition contained, had but lived to see his doctrines thus expounded, it must have afforded him inconceivable pleasure.

The petition was brought up and read. On the question that it do lie on the table,

Mr. *Baring* said, that a petition coming from so great and respectable a body as the Chamber of Commerce of Glasgow, deserved the most favourable attention from that House. Every efficient means ought to be taken to promote their reasonable objects; every consideration was due to their reasonable claims. When he had a few days ago presented a similar petition to that House, from the merchants and traders of London, he moved that it should lie on the table, in order to see, in the mean time, what the other great commercial towns would be disposed to do. He did so, because he felt convinced that whatever might be the disposition of parliament, no great practical benefit could be accomplished without the general concurrence of the country at large. His hon. friend who had just presented the petition before them, differed from him, but in very few and inefficient points. The House, he said, must have heard with pleasure from his hon. friend, that some of the principal manufactures which had been for some time depressed, had, at least partially, revived. And he agreed with his hon. friend in thinking, that, however gloomy and unpromising appearances might be, there was yet no serious apprehension (if proper exertions were made) that the commercial and manufacturing interests of this country would be endangered in any material degree. During the war an extraordinary impulse was given to the manufacturing interests of England—an extensive, but an artificial trade prevailed, which could not be kept up in a time of peace. That state of things must give way to one of a more moderate, but more solid and more natural kind. He concurred with his hon. friend, that if the House would encourage the commerce and manufactures of the country by good laws—by wise and liberal regulations, that they would again behold the revival of commerce and of general prosperity. But it was only by great efforts that such desirable objects could be accomplished; they were not to fall asleep over the state of the country; they were not to suppose, because trade had so long flourished—because things had gone on prosperously for a great length of time, that without any exertions on their part they would revive and flourish. On the contrary, they must be convinced that new and great difficulties had arisen—that the situation of other countries presented serious difficulties to the encouragement of British commerce—and that extraordinary exertions were necessary to meet and to overcome those difficulties. He entirely concurred with his hon. friend in this—that he did not despond with regard to the state of the country; whilst he was willing to admit that the country, as to its commercial and agricultural relations, could not preserve that artificial degree which it held during the war, but must be reduced to a more reasonable standard. When his hon. friend had stated that this country had manufacturing facilities above all other countries, he must yet be convinced that those facilities would be transferred to other nations, should they remain in peace for any considerable time. Those advantages consisted not in cheapness of labour; they consisted in the extent of capital, in the perfect state of machinery, in the enterprising spirit of our people. In those respects we had the start of the other nations of the world. But those advantages would be lost in the course of time, and nothing but the greatest possible attention to the state of our manufacturing and commercial interests—nothing but the most watchful and active exertions, and the wisest laws could preserve them. An hon. gentleman had stated some advantages as belonging to the cotton manufactories; but if the raw materials of that article were subjected to any considerable duty, neither that hon. gentleman, nor the best informed man in that House, could calculate the precise extent of the duty which the manufacturer could bear, so as to be able at the same time to hold a competition with other countries; and to try an experiment of that description would expose him to the utmost danger. He repeated, that he did not anticipate any misfortunes to the commercial interests of the country; he did not anticipate misfortunes, because he had every confidence in the wisdom of that House. He was glad to see that there did not exist any hostility in the shipping interests of the country as to the objects embraced by the petition before them. He had that morning attended a numerous body of the ship-owners, who had met to express their apprehensions of the consequences that would result from the object of the petition being carried into effect to its fullest extent. He had addressed that meeting on several practical points embraced by the petition, and, as it often happened when men explained themselves one to another, he soon found that there was not any great difference between him and the meeting, but that they agreed on every point, with the single exception of the timber-trade. A great concurrence of opinion existed between the ship-owners and the other interests of the country; and with respect to any particular alteration in the navigation laws, that body were anxious to permit the carriage of any articles in foreign bottoms, with this exception, that they should not extend to the produce or growth of India, or of the colonies; because if those articles were merely to be brought across the Channel in British vessels, it would operate to the disadvantage of British shipping. But, with respect to the produce of every part of Europe they had no objection to their importation. The hon. member concluded by saying, that when gentlemen inquired into the particular points they would not find so much difference of opinion, as they first imagined to exist; and he did hope, that in the course of a short time they would be able to view the various interests of this country with liberal feelings, and would be able to apply the means of their revival and prosperity.

Ordered to lie on the table.

Mr. *Ellice* presented a petition from certain Woollen Manufacturers of Hawick. He said, that after the discussion which had taken place on the petition presented by the member for Glasgow, and after the observations which had fallen from his hon. friend (Mr. Baring), he was induced to say one or two words on presenting the petition which he held in his hand. As an instance of the advantage which the public derived from the discussions which had taken place in that House, he had now the honour of presenting, for the first time, a petition from a numerous and respectable body of manufacturers, praying to be relieved from the general restrictions which were placed on the trade of the country; they complained of the great distress and difficulties under which they laboured; and were of opinion that the state of things was such as could not long exist, without involving every interest in the country in one common ruin. One mode of affording relief to trade was by removing the numerous restrictions which oppressed it in every quarter. The petition principally went to the repeal of duties on wool, rape and corn, but they had no objection that all the restrictions which affected trade in general should be taken into consideration.

Ordered to lie on the table.

MILITARY EXPENDITURE OF THE COUNTRY.] Colonel *Davies* rose to direct the attention of the House to a subject at all times of the utmost importance, but more peculiarly so at the present moment, when the country, labouring under the pressure of severe and accumulated distress, required every assistance which it was in the power of parliament to afford it. He felt that he must throw himself on the indulgence of the House, of which he certainly had need when he undertook the task of bringing under its consideration our existing military establishments, with a view to point out what might require amendment, and to suggest a remedy. He also felt, that in bringing forward this subject at the present time, he should have to encounter disadvantages and difficulties which, when he first turned his thoughts to it, he did not anticipate; for, however general the desire throughout the country might be to see some measure adopted, which should have for its object a retrenchment in the public expenditure, yet the unfortunate events which had lately occurred, had filled the minds of many with so much alarm, that however friendly they might be to the general principle of economy, he should find them at the outset, prejudiced against any proposition which could, by possibility, weaken the powers at the disposal of government. Yet, as his object was inquiry, and he should not presume to ask the House to adopt any definitive measures at his suggestion, he hoped, that all those who were friendly to economy, however much they might differ from him as to the extent of the danger by which we were threatened, would join in assisting to promote an inquiry, which could not possibly be attended with mischief, and might be productive of essential benefit to the country. Every thinking man who looked to the situation of this once flourishing country, and saw the misery which had overtaken every class of the community, must admit that it was high time for those in public situations to come forward, and endeavour to avert the ruin with which it was threatened. Whatever shape the difficulties of the country might assume—whether they appeared in the decline of commerce, of manufactures, of agriculture, or of them all—yet it was impossible to deny that the source of the evil was to be discovered in the disordered state of our finances. The commerce of the country might be affected by the return of peace; and competitors might rise in those markets where we had hitherto reigned unrivalled; the varying caprice of fashion might cause the substitution of one manufacture for another;—but could it be doubted, that, if left to themselves the energies of our merchants and manufacturers would, as soon as one channel of enterprise was closed to them, discover another? It was the enormous load of taxation which hung like a millstone round their necks that prevented them. How could those difficulties be met?—Not by sitting down in despair, but by a determination to surmount them;—by instituting a rigorous inquiry, and by resolving to make a sacrifice of patronage and emolument for the public service. Urged by these considerations, he had directed his attention to our military establishments, as forming the largest item of the public expenditure, to which the most alarming augmentations had been made; and as that which his habits of life made him best qualified to investigate. He had, therefore, devoted much time and labour to the subject; and the more he examined it, the more he became convinced of the necessity of parliamentary interference. But as he was convinced that it would be impossible for him in the course of any debate, to make the House, masters of so intricate a subject; and with which, notwithstanding all the time he had devoted to it, he was still far from being thoroughly acquainted, he thought the only way to enable it to judge for itself, would be the appointment of a select committee of its members, who should examine into all its details, and report their opinions to the House. This was the more necessary, as most probably much of what he would assert, would be met with counter-assertions by the noble lord (Palmerston) opposite. He was aware that various objections might be made to this mode of proceeding; he might, perhaps, be told that the committee of finance had, for some years past, annually taken the military expenditure into their consideration. This subject was, however, of such vast importance as to require the undivided attention of a committee; and without meaning any offence to the finance committee, he must say that but little good had emanated from them. If it were said that the House ought not to interfere, and that the task of retrenchment should be left to the executive government, he would answer, that the persons thus to be intrusted, were not exactly those who would be most likely to carry it into effect. Their interest was connected with the extension, not the diminution of patronage; and it was expecting too much, to suppose that they would seriously undertake the task of abolishing offices which extended their power and influence. If any proof were wanting that ministers were not the persons to whom the task of retrenchment was to be left, it was to be found in their recent appointment, of a governor of Gibraltar. In the whole list of sinecures, there was not one which called more loudly for abolition than this; so much so, that he believed a committee of the House had some years ago, recommended that whenever the then existing interest in it should cease, the office should be abolished. Yet, scarcely was the illustrious person who lately held it, deceased, when, with unprecedented haste, they appointed a successor. The same messenger who carried into the country the intelligence of the death of the duke of Kent, had in his pocket the appointment of the earl of Chatham to succeed him. That noble earl whose military achievements might be summed up in a few words as commander of the memorable expedition to Walcheren [Hear, hear!]. He should therefore conclude what he had to say, with moving, for the appointment of a select committee, to examine into the military expenditure of the country. In order to show that there was occasion for such a committee, and that various reforms and retrenchments might be made, he would take a very concise view of those departments in which he thought such retrenchments would be effectual. He did not mean to say that every thing he advanced would be perfectly correct; mistakes on certain points might arise; but if he inspired a doubt in the minds of the House, if he showed that every establishment was not in its most perfect state possible, then he had made good his case, and was fairly entitled to the inquiry he proposed. The first point to which he would advert was the amount of the military force. On looking at the military establishment of 1787, a year of peace corresponding with the present, he found that the whole army, exclusive of India, and including Ireland, was 42,921 men; in 1820, it was 92,224 in number considerably more than double, in expense quintupled. In the year 1819, the total expense of the army, exclusive of extraordinaries, was 6,582,603*l.*; for 1820, it was 6,807,535*l.*; an increase, as compared with last year, of above 200,000*l.* They were also to recollect that corps to be reduced last year caused an increase of expense of 183,000*l.*, so that the total increase of the present year, as compared with the last, was in fact above 400,000*l.* Now he should be glad to know what there was in the situation of the country which justified such an expenditure. He might be told that the disturbed state of the country rendered it necessary that there should be an increase of the army. He believed this feeling prevailed with the majority of the House, and therefore he did not mean on this occasion to press on their consideration the numbers of the army. The propositions he meant to offer went not to impair the efficiency of the army. At the same time he must observe, that the causes which called for this increase of force—he meant the distress which had engendered disaffection and discontent, also loudly demanded retrenchment and economy [Hear, hear!]. It must be in the recollection of every gentleman who sat in the last parliament, that the chancellor of the exchequer, when he came down to add 3,000,000*l.* to the taxes, proposed certain resolutions, one of which went to state, in the strongest terms of which language was capable, "the absolute necessity of having an efficient surplus of income over expenditure, to the amount of 5,000,000*l.*" He should like to know whether any gentleman was prepared to say, there was an overplus. Did not every person know that the new taxes were almost if not altogether, inefficient? How then were they to carry into effect what parliament had declared to be necessary? How could they produce an effective overplus of income over expenditure? He would answer—by retrenchment, and retrenchment only. He thought that ministers would hardly propose to add any farther taxes to the burthens of the country. What then remained but to adopt every practicable retrenchment of the public expenses? It was with this view that he brought forward the present motion. Party feeling had nothing to do with it. He fully agreed with his noble friend (lord A. Hamilton) who spoke last night, that these were not times for the indulgence of party feeling—but that every man who could contribute to the service of the country ought to come forward boldly and perform that service. Although he meant not to press upon that House, at this moment, the number of the effective force employed, still his own decided opinion was, that the peace and tranquillity of the country might be maintained without the assistance of so large a standing army. To prove this, let them look to the amount of the military force in Scotland. He believed that no man would deny that disaffection existed there more strongly than in any other part of the kingdom. The discontented were more completely organized, they were more determined, and they were more numerous in proportion to the peaceable inhabitants. Yet the army never amounted there to 3,000 effective men; and with that comparatively small regular force, aided by the inhabitants, who came forward to defend their property and families, the peace of the country, with little exception, had been preserved. He wished the people in the South would act in the same manner. It was because the people of Scotland had come forward as yeomen and volunteers, that so small a regular force had been sufficient. He found that those who came forward in Scotland amounted to 3,700 yeomanry, and nearly 4,000 volunteers. Now the population of the lowlands of Scotland, those parts in which alone disaffection prevailed, did not much exceed the population of Lancashire, when there were but 554 yeomen, and not a single volunteer. They called out for an addition to the military force, because, unlike the people of Scotland, they would not defend themselves. If the people of England would act as those in Scotland had done, they would soon put an end to all disturbance. He now came to that part of the military expenditure connected with the cavalry. There were 24 regiments of cavalry containing 11,000 men. It was not his wish to reduce the effective force of the cavalry, but there was a superabundance of them, part of whom might be reduced without in any way impairing its efficacy in the field. They were quartered in places where they were not at all necessary. There was, for instance, a regiment at Hounslow. Of what use were they? Formerly, when the king was constantly travelling between London and Windsor, a force of that kind might be necessary for his escort; but it was not now required. What occasion was there for cavalry in Kent and on the coast of Essex? It might be said that they were employed to repress smuggling. But they had nothing to do with that service. There were nearly 2,000 seamen, under naval officers, stationed between Sheerness and Beachy head, expressly for that purpose, and round the whole coast there were guard boats and patroles, whose whole time was occupied in preventing the contraband trade. The same remark might be made with regard to the cavalry on the southern coast. Certainly, then, three regiments of cavalry might be reduced, since they were not required for any specific purpose—and appeared to be as little disposable for putting down disaffection in the North, as if they did not exist. If therefore he were to propose the reduction of effective dragoons equal in amount to three regiments, the proposition would not be unreasonable, but as he had before observed, it was not his intention to suggest the reduction of any part of the effective force of the army. But there were in every regiment 15 dismounted men per troop, or 120 per regiment. Ministers had taken credit for economy in dismounting so many men, but he considered that by doing so they were guilty of great extravagance, as those men were useless, either as cavalry or infantry. He was of opinion that 46 dismounted men might be reduced in every regiment, which would still leave enough for every purpose to which dismounted men could be applied. Again, he would have the second majors reduced—that appointment being unknown prior to the year 1796. By diminishing the number of troops in each regiment from eight to six, the reduction would then comprise the 2nd major, two captains, two lieutenants, two cornets, and forty-six privates. This would produce a very considerable saving; and, at the same time, an ample allowance might be made for pensions and half-pay. He would, in fact, by his plan, allow more for those purposes than the committee of finances of 1799 proposed; he would wish that the reduced officers should have the most ample allowances; but by putting them on half-pay at present there would be a saving annually of 80,000*l.* in the cavalry department. It would, besides, be as efficient for every necessary purpose as it was now. In stating these facts, he was doing that which was disagreeable to himself, because he was speaking in favour of a reduction of those who were connected with the profession to which he himself belonged; and if his suggestions were carried into effect, it would injure many gallant officers and intimate friends of his own. But, however unwilling he might feel to bring the subject forward, there were considerations that operated more strongly with him than the claims of private friendship. If the cavalry was reduced as he had described, the regiments would consist of 6 troops of 53 or 54 men each, and they would have a sufficient number of officers. Three officers were, he conceived, sufficient to take charge of a troop. Before the French war, there were only six troops to each regiment of cavalry, and of these only four were commanded by captains. He wished to state that he contemplated no innovation, but merely to do that which was formerly done, and even carried to a much greater extent than he proposed. He would suggest that it would be expedient and fair towards those officers, who, in consequence of this revision, were placed on the half-pay list, that they should have the preference when vacancies occurred. He now came to the waggon-train, which was of no earthly use. Every man must be convinced of the absolute absurdity of keeping up such a body at present. During the war they were advantageously employed to carry the sick, and to assist the military in their movements. But now, when a regiment scarcely removed once in a twelvemonth, they were evidently of no use. There was a regular complement of these men attached to the Life-Guards, who never left London. By reducing this useless corps, the country would save 10,000*l.* a year. The next point on which he meant to touch was the infantry force. By reducing the 2nd majors and by forming the infantry into regiments of 8 companies instead of 10 companies, a saving of between 60,000*l.* and 70,000*l.* might be made. There would then be eight companies of 85 men each, instead of 10 companies of 65 men each in every regiment. The captains and major would still be quite sufficient for the discipline of the regiment. Thus, without impairing the efficiency or endangering the discipline of the army, might this saving be made to the public. If in England the inhabitants were to act as in Scotland (he would not repeat the argument at large,) the infantry too would be found more than sufficient. A considerable reduction might be made in the garrisons such as Portsmouth; but he did not wish to take up the time of the House by entering into details. He next adverted to the engineer corps, of which there were two companies in Canada. The works done by them could as well be done by common labourers, with a regular engineer to direct their labour. Yet there were not fewer than 306 men of this corps employed on a canal in North America. This was the most expensive establishment in the army. The committee of 1809 had found that then, in time of most active war, only 80 of this corps, which consisted then of 500 men, were engaged in foreign service. Colonel Brown was examined by the committee, and stated, being of course favourable to the establishment, that they might all be necessary in cases of emergency. As the officers were men of education it might be impolitic to reduce them, but why retain the complement of men? The corps could at any time be re-organized; and therefore, he was persuaded that in this department a saving of 20,000*l.* might be effected. Here then he had already pointed out a saving of 170,000*l.* a year. He would ask any member who had done him the honour to attend to him whether, by this saving, the army would be rendered less effective? Would any member say or believe, that, in consequence of such a reduction, it would become less effective against a foreign or a domestic foe? He was happy to have an opportunity of pointing out those things before the army estimates for the year were considered. Wednesday was fixed for that consideration, a day of all the week when there usually was least attendance, and in this week when there was still less chance of the attendance of members. The recruiting service was the next part of the army expenses to which he called attention. The expenses of this service had increased 6,000*l.* since the last year, which was one-fourth of the whole expenses. He complained that there was a great degree of intricacy added to this part of the service by the present mode of recruiting. There was a necessity for simplifying the mode of recruiting, if economy was at all regarded. At present recruiting companies had their pay-master, field-officers, adjutants, and, in short, a complete staff. This created intricacy in the regimental accounts and rendered it scarcely possible to have any correct reference from the recruiting to the regimental accounts. This was a violation of every principle of economy. Before the year 1798, the commanding officer sent his accounts to the regiment, and district paymasters were appointed only for those recruiting companies whose regiments were abroad. By returning to that practice, and adopting the same arrangement as to the recruiting service as existed now in the guards, an immediate saving of 14,000*l.* would be effected, and eventually the saving would amount to 20,000*l.* a year. When he was in the guards he had had five or six recruiting companies under his command. Let that practice be now adopted, let an officer take several companies under his command, let the inspecting field officers be got rid of, and the staff, and other expensive establishments of the recruiting service. In page 13 of the estimates was a sum of 1,450*l.* for the riding establishment at Pimlico. This establishment had been instituted for the purpose of learning the lance-exercise, but when it ceased to be used for that purpose it was still maintained. In the general staff-accounts there were 5 assistants to the quartermaster-general. The quartermaster-general was a very important officer in the field, but how was he with his assistants employed now in England? Their only duty was, to receive the route from head-quarters. If they were reduced from five to two, there would be a saving of 2,000*l.* There was no proper reason for a lieutenant-general of the staff in Ireland, and the major-generals were too many. In Ireland too there were 8 adjutants-general, double the number in England, and if they were reduced to the number in England, there would be a saving of 3,000*l.* As to the colonial staff—in Jamaica, with 4,000 men there was one general officer—in Gibraltar, with 4,000 men, also one—but in the Leeward Islands, with 5,000 men, there were five general officers—and in Barbadoes a general officer, with only three companies. In those scattered islands there seemed to be no excuse whatever for having quarter-masters general, as other officers were fully adequate to the duty assigned to the quarter-masters. By reducing them, a major-general in Tobago, and four of the adjutants in the other islands, there would accrue a saving of 4,500*l.* A reduction might be advantageously made in St. Helena; and upon the whole the general savings under this head might amount to 9,000*l.* The office of paymaster-general, the right hon. gentleman opposite would pardon him for saying so, he considered as one of no great utility. It was only a channel for accounts. The paymaster-general had no control over the expenditure. Here he must remark, that he did not answer for the accuracy of all his statements; but how could he get at information without making assertions, and exciting discussion? He might be wrong in the details, but he was right in the principle. The office was, he was persuaded useless, though he might be made to appear very ridiculous when the right hon. gentleman got up to answer some of his details. The offices of secretary at war and of paymaster came under the observation of the committee of expenditure in 1807. They stated that the responsibility became divided between the two offices. The secretary at war might issue orders for payment through the Bank at once without any paymaster-general. He could refer to the member for the queen's county to confirm his statement, that 60,000 men had been paid in Ireland without any paymaster-general, and no complaint of any defalcation had been heard of. The office was not necessary; it only added to the inconveniency and expense; it was contrary to the rules of economy. For the Ionian islands there were 1,700*l.* a year charged. Why was this? He only asked for information. He pledged himself that the office of paymaster-general was unnecessary, and only added to the expense of the army, without affording security to the public. The pensions given upon this establishment were larger than the pensions given to the widows of general officers, who received not more than 120*l.* per annum, a sum much less than that given to the widow of an accountant, though it would he believed, be admitted, that the former was obliged to support a higher rank. A retired paymaster got a pension of 547*l.* a year, and the deputy paymaster, who did all the duty, had but 500*l.* a year salary. In the war-office, to which he now requested attention, the charge was 57,880*l.* In 1806 when we were at war in every quarter of the globe, a deputy secretary and 112 clerks did the duty of the war-office, and the expense had been only 30,000*l.* Now the number of clerks was increased from 112 to 147, and their salaries were 48,000*l.* In 1803 there had been a regulation that the salary of clerks should be from 80*l.* a year to 120*l.* Yet there were now assistant examiners who had 250*l.* each. The office for current accounts was charged at 14,000*l.* Accounts were rendered intricate by the variety of heads under which allowances were made, as beer, cleaning arms, &c. If the allowances were consolidated much intricacy and expense might be avoided. There should be a regimental contract for provisions for the troops, and forage for the horses. It would probably be objected that defalcations might be the consequence; but it should be recollected, that the commanding officer of a regiment must always be of the highest respectability; and, besides, the best checks could be applied by submitting his contract to the officers of the regiment. He threw out this only as a suggestion. A saving in the whole commissariat of England might thus be made of 12,000*l.* a year. A great part, too, of the expenses of the commissariat in Ireland might be saved, but not the whole, by throwing the management between the officer and the commissary, not between the commissary and the regiment; 20,000*l.* would thus be saved in all. He wished next to direct attention to the office for arrear accounts of foreign troops. In 1806, when we were in active war, the expense of this office was only 2,900*l.*; now, for winding-up the accounts, it was 2,700*l.*; only 200*l.* less than when the pay and claims of many foreign soldiers were to be attended to. A great saving might be made by consolidating some of these offices, a saving of not less than 10,000*l.* a year. At least there was good ground for inquiring whether this could be done. What objection could there be to a committee, when so much difficulty existed on this subject? There was an increase of 900*l.* a year in the quarter-master-general's office since 1808. In the judge-advocate-general's department the expense in 1808 was 2,500*l.*; now it was 5,800*l.* In 1798, the extraordinaries of the army were 6,000,000*l.* There were then only two comptrollers, at 1,000*l.* each, and 11 others at 2,500*l.* In 1819, when the army extraordinaries were but 1,000,000*l.* there were three comptrollers, one at 2,000*l.*, the other two at 1,500*l.* each; besides 27 clerks, and the whole expense was 12,500*l.*, 8,000*l.* more than in 1798, when double the business was done. He now came to the Military college; it had been reduced, but further reduction might yet be made. The senior department was useful; but the junior department was quite useless, for young men who left the college early and entered the regular army soon forgot what they learned there. More youths were now educated than it was possible to give commissions to. The committee of finance had commented on the cruelty of thus educating young men for pursuits in which they could not be employed. The commission of military inquiry had recommended the abolition of the lieutenant-governor and paymaster, as unnecessary, Yet they were retained to this hour. The establishment was not only that of a regiment; it was that of an army. Yet what was it but a school for boys? Why should there be a staff? The number now was 290. This number might be reduced to 220, and even that was more than was required. If it were in fact reduced to 220, it would naturally fall to 200, and thus 550*l.* a year would be saved. There might too be a diminution of professors. The commissioners of military inquiry had remarked on the lightness of their duties; and he could state himself from experience, having received his education at the college, that some of them attended only 2 hours in the day. Why should school boys have drummers and fifers? From these petty details, it appeared how much saving might really be made. In the several items he had gone through a saving might be made of 450,000*l.* a year. He now came to the head of superannuation. There had been regulations requiring that every person superannuated should be, 1, incapacited from service; 2, that he should have served 10 years; and 3, that he should have no more than one-third of his full pay. Yet there was a deputy secretary at war, who had served only 6 years and a half, and who had 1,000*l.* a year, in addition to a floating pension of 800*l.* a year which he before enjoyed. Had they not violated at least the spirit of the act by this proceeding? He had great respect for the name of that individual in consequence of the veneration he felt for a deceased relative of his, but the discharge of a public duty was paramount to any private feeling, and he could not admit the justice or consistency of allowing him 1,800*l.* a year. One clerk in the foreign department, who had served only five years, had 450*l.* a year superannuation, a larger sum than a general officer had after having passed 30 or 40 years in the service. Many who had shed their blood for their country were starving, while a clerk who had never left London enjoyed three times more than was allowed to them. In the medical department there a physician to the forces who had 600*l.* as a retired allowance; and a late member of the medical board who had 1,100*l.* a year as physician to Chelsea college, for doing nothing. The commissary general of musters had 600*l.* a year, while he had 500*l.* as secretary of Chelsea hospital. In the barrack department, two officers who had served only nine years had each 800*l.* a year. Did not these appear to be abuses? They might not be so—but was it not due to the country to investigate whether they were or not? When clerks, who never perhaps set their foot out of the country, had their services remunerated so amply, by means perhaps of a secret influence very well understood—and others, possessing the strongest claims on the country, were left almost in a state of starvation, inquiry was imperiously called for. There were also the late commissioners for settling the accounts of the barrack department, viz. the accounts of one great defaulter, general Delancey, and for this service one had a retired allowance of 500*l.*, another of 600*l.* a year! In the barrack department material saving might be made. It was quite unaccountable that barrack-masters should be retained in barracks where no soldiers whatever were quartered. This, among other similar arrangements, occasioned unnecessary expense in the barrack department, which at present cost the country 58,000*l.* a year, one half of which he was prepared to show might be very properly dispensed with. For not only were barrack-masters stationed were no soldiers were quartered, but in many places there were two barrack-masters where one would b quite sufficient; and this he illustrated by referring to the barrack-masters appointed at Hyde-park, the Tower, and at the Savoy forsooth, as well as at other places within the district of the metropolis. But those unnecessary appointments were only a part of that system upon which ministers acted, being always determined to retain any patronage of which they could contrive to lay hold, and disregarding that economy which they professed a disposition to maintain, but which they would never practice unless through compulsion. Therefore he called upon that House to interfere, and to demand retrenchment in this branch of the public expenditure, or at least to institute an inquiry how far such retrenchment was practicable. Sure he was, that if the House did not take this subject into its own hands, no reduction of expense would take place, and therefore he the more earnestly pressed for the appointment of a committee of inquiry. He was aware, that when any member on his side of the House brought forward a proposition of this nature, it was the habit of ministers to cavil at his statements, or to point out some error in his details. Instead of discussing the principles upon which his proposition rested, ministers, who ought themselves to assist any member, if he required it, in making out his details on a subject of this nature, sought rather to throw ridicule upon some of his statements; conceiving such ridicule a sufficient answer to his arguments or principles, however unobjectionable. The House too was disposed to listen with more attention to the statements of ministers, naturally supposing them more accurately informed upon questions connected with the public expenditure. Of this circumstance ministers were fully aware, and therefore apt too often to avail themselves of it to endeavour to throw dust in the eyes of the House, as well as in those of the public. But such expedients could not serve their purpose in the judgment of those who were capable of just discrimination. He concluded with moving, "That a select committee be appointed to examine into the whole military expenditure of the country, and to report their opinion thereon to the House."

Mr. *Long* expressed his surprise, that the gallant officer should say, the paymaster general was no public accountant.

Colonel *Davies* denied that he had made any such statement.

Mr. *Long* observed, that if the gallant officer would take the trouble of inquiring, he would find that the paymaster general was one of the greatest public accountants in the country.

Colonel *Davies* again denied the statement imputed to him by the right hon. gentleman.

Mr. *Long* regretted his misconception of the gallant officer's words, assuring him that he had no disposition whatever to misinterpret any hon. member. But he was quite certain, that if the gallant officer would take the trouble of seeking accurate information, or would call at the office, and judge for himself, he would be convinced of his mistake in supposing that the business of the paymaster general's department could be consistently transferred to the war-office. The business of the paymaster-general's department was, indeed, of a very onerous description. The duties which were performed there were extremely various; the issue of the half-pay alone required considerable time and attention, especially in consequence of the arrangement for making that payment quarterly instead of half-yearly, as was the former custom. But the settlement of the different accounts in that department was attended with a great deal of trouble. Upon his (Mr. L.'s) introduction to this office, he found there was an arrear of unsettled accounts for no less than 25 years, nay since Mr. Burke's arrangement was adopted; and he had the satisfaction to say that all those accounts were now adjusted, and passed to the commission for auditing public accounts. This discharge of business accounted for the difference between the expence of the paymaster-general's department at the present day, compared with the period referred to by the gallant officer. But he would venture to say, that if the gallant officer would inquire and compare the present expense of this department with that incurred during the war, he would find that a greater reduction had taken place in that office since the conclusion of the peace, than in any other office concerned in the superintendence of the public expenditure. With regard to the superannuated allowances adverted to by the gallant officer, in no instance did any of those allowances exceed the amount settled by statute, while some of them fell short of that amount, as he (Mr. Long) showed by quoting the cases. When he became paymaster general, he found several sinecures in that office, created by the habit of doing duty by deputy, but to this system he put an end, by calling upon every individual connected with the office to perform his duty himself, and thus the system of sinecures was abolished in that office. There were, indeed, no offices under the control of the paymaster-general at present discharged by deputy, with the exception of that of the paymaster of Malta, and two others, which, for adequate reasons it was found necessary to tolerate. He had, indeed, on the whole, no reason to apprehend, that if the conduct of the department over which he had the honour to preside were duly considered, any candid man would find cause to complain of its proceedings or system.

Colonel *Davies* thought there was cause to complain that the public accountants connected with the right hon. gentleman's department were not sufficiently under the control of that department.

Mr. *Long* observed, that the power of the office alluded to was amply sufficient for any effective purpose of control upon the conduct of every individual connected with the department.

Lord *Palmerston* observed, that he should not, upon the present occasion, anticipate the discussion of the army estimates which were so soon to be brought under the consideration of the House, but he thought it proper to make some remarks upon the statements or calculations of the gallant officer, in which, however, he should be as brief as possible. The gallant officer's animadversions upon the conduct of the several finance committees he should leave to other and more competent persons to answer; merely saying, that in his opinion those committees had performed their important duties with great zeal and ability. But with respect to the gallant officer's calculations upon our military expenditure, he must say, that he could not place much reliance upon their accuracy, from a recollection of the extreme erroneousness of the hon. officer's calculations on the same subject upon a former occasion. Upon the increase of our military establishment since the last year, which naturally gave rise to an increase of expenditure, he did not think it necessary to make any reply to the gallant officer, as the House and the country were fully aware of the reasons connected with our internal situation which called for that increase. The gallant officer had maintained, that by a different modification of the existing establishment of the army, a saving might be made of no less than 400,000*l.* per annum. But there were, upon a proposition of this nature, two questions to be considered; the first, whether any pecuniary saving would result from its adoption; and the second which he submitted was much more important, namely whether the proposed modification would tend to weaken or diminish the efficiency of that important arm of the national strength, the military force. The House would, he had no doubt, proceed with great caution in determining upon these questions. But as to the expense of the army, the gallant officer had thought proper to argue, that if the public spirit of England had been equal to that of Scotland, there would have been no occasion from the recent troubles to make any addition to our regular army. To this observation, however, he would only reply by referring to the spirited conduct of the English yeomanry in maintaining the public peace and protecting their own property throughout the several districts when any disturbances took place or were apprehended. That conduct was indeed notoriously such as to prove the injustice of the gallant officers animadversion; and this he felt himself bound to say, while he was quite ready to bear testimony to the gallantry and public spirit of the yeomanry of Scotland. With respect to the gallant officer's recommendation to discharge the dismounted men belonging to each troop of cavalry, he (lord P.) deprecated the idea, observing that these men were so dismounted with a view to economy, while they were still retained in each regiment with a view to maintain its efficiency. But if the present dismounted men were really discharged, he should not be surprised to find the gallant officer meet that proceeding by requiring that some more of the men should be dismounted, for whose discharge he might afterwards call, and so on, prosecuting his peculiar views of public economy, until each regiment should be reduced to a skeleton.—But neither the peculiar views of the gallant officer, nor those of any other individual would, he trusted, be found to prevail in that House against the tried advantages of the present system. The gallant officer complained not only of the amount but of the distribution of the cavalry. He had asked why there was to be a regiment of cavalry stationed for instance at such a place as Hounslow. Was not the hon. member aware that at that place there was a necessity of having some effective force for the preservation of the peace of the metropolis, and especially at times of danger, such as had lately occurred?—But a part of the cavalry was distributed, according to the hon. member, in places where its service, it was said, could not be necessary, such as along the coast. Now services on the coast were necessary to check the contraband trade which was attempted to be carried on; for, when the smuggler had once landed his goods on the coast, it was only by the assistance of cavalry troops that seizures could be made. There was however, scarcely any part of our military organization to which the gallant officer did not object. According to his judgment there were too many officers both in the cavalry and the infantry, although all those officers were by very high authority deemed quite necessary to the maintenance of discipline, and of an efficient army. If a committee such as that proposed were appointed, every member of it might have his own speculative opinions upon the subject, all differing from one another. When one person said he would have one major to a regiment instead of two, and would reduce two captains, two lieutenants, and two cornets in each regiment, or stated any other speculative opinions of the same sort, these were grounds on which a House of Commons would not act. The gallant officer also objected to the waggon corps, although if we had not this corps it would be difficult to say by what means the removal of the different regiments ought to be effected. Was it by obliging the cavalry horses to draw waggons, for which they were not fitted, or by hiring farmers' horses, which would not be always in readiness on emergencies? Those means, it was obvious, could not be adequate to the removal of an effective force. But the gallant officer required on the whole such a reduction of the army as must, if his views were complied with, expose the country to the most serious embarrassment in the event of war. When the army was to be reduced in time of peace, they were not to consider the immediate saving only which would arise from that reduction, but were to remember that the establishment still kept up was a nucleus for the reformation of the army, whenever war should again render it necessary. On the subject of half-pay, pensions, &c., all he should say was, that the hon. gentleman had made a very inaccurate calculation of the saving that might be accomplished in that department of the expenditure. As to the engineer corps, which the hon. gentleman wished to be reduced, he might observe that proper officers for these corps were not easily obtained. It was also difficult to procure men for them, on account of the mechanical skill which it was necessary they should possess. These men were always most usefully employed, and therefore he conceived that their reduction would be a serious inconvenience. With regard to all these staff-corps, which required great skill and experience on the part of both officers and men, it was evident that they could not be suddenly re-established; and therefore, unless a sufficient number, both of officers and men, were retained, the service might be exposed to great danger as well as inconvenience. The House would recollect that what the hon. gentleman had just been pressing respecting the guards, was just what Mr. Burke had taken so much pains to do away with. The guards received a gross sum for all their charges, and out of that sum they had to defray the expenses of their own recruiting, and of their hospitals, which in the rest of the army were paid under a separate head of charge. If it was not proper to recur to the other parts of that system which Mr. Burke had abolished from the whole army, it surely was not proper to revert to that part of it only which regulated the charges of the recruiting service. He conceived that the present system, by which officers on the recruiting service, received draughts from the public officer of the district, was more convenient than that which the hon. gentleman proposed. Indeed no arrangement had given more general satisfaction than that of detaching the expenses of recruiting districts from the general charges. If the system of the hon. member were introduced, the accounts of every regiment in the service would be necessary before the recruiting accounts could be regulated; and how much more simple and more easily reduced to practice was what was now adopted. The riding establishment at Pimlico seemed useless to the hon. member, but why was it founded? For a most excellent purpose: to introduce a uniformity of system through the cavalry of the kingdom, and the experience of the cavalry evinced its utility. Men were sent from each regiment of cavalry, in order to learn the system; and they afterwards became masters and teachers of it to their own regiments. Thus a very great benefit was obtained, and our cavalry would be saved from any repetition of the sneer of a foreign officer in other times, namely, that he should think the British cavalry very efficient, if they knew how to ride. In objecting to the permanent assistants in the quarter-master-general's department, he could not help saying that the gallant officer seemed not aware of the motive or importance of that description of officers, and when he animadverted upon the number of staff officers employed in Ireland, compared to that in this country, he evidently appeared forgetful of the different situation of our force in both countries. In Ireland it was so subdivided and scattered, that a greater number of staff officers became obviously necessary, and a similar distribution of the army accounted for the number of staff officers in the windward and leeward islands, to which the gallant officer also objected. In fact, every one of those officers was governor of the island to which he was appointed, as well as commander of the forces; and the greatest convenience had been found to result from that arrangement. Making allowance, therefore, for all the errors both in the details and the principles of the hon. gentleman, he suspected that, even if the proposed alteration were made in the staff department, the saving would fall very far short of 400,000*l*. His right hon. friend had satisfactorily accounted for the conduct and expense of the paymaster-general's department; and as to the War office, he could state and show, that any increase in the expense of that establishment was occasioned by an immense accumulation of accounts from former years many of which were yet unsettled, although every possible exertion was making to promote their adjustment. A commutation with the soldiers for certain allowances, as the gallant officer recommended, he thought quite impracticable, from the fluctuating price of the articles alluded to, and the uncertain movements of the army; as such commutation might be too much in certain cases, or operate in others to reduce the soldiers pay, which, he believed, no one in that House or the country was disposed to do. A soldier might cost more in one year than another, because he might be more days on march, and provisions might be higher; and therefore to strike a balance by the expenses of one year might either injure the man by giving him too small an allowance, or, by giving him a fractional sum too much, might swell the amount to the public very considerably. The truth of this would appear on looking at the report of the committee of finance, in which it was stated that a very trifling allowance added to each man's pay would produce an increase of 80,000*l*. a year in the whole army. But to return to the War office; the gallant officer had particularly dwelt upon the difference of expense in that establishment between the year 1806 and the present time. In 1806 the clerks were 112 in number and their salaries amounted to 30,000*l*.; while in 1819 their number was 148, and their salaries amounted nearly to 50,000*l*. The comparatively small expense, however, in former years, was owing merely to the hope of the government, that the national expense would be reduced by the cessation of war, and to its disinclination to add to the public expenditure by increasing the establishment at this office. But what had been the consequence of this policy? —Why that the accounts at the War office had accumulated to such an extent, that an increased establishment of clerks became imperiously necessary. The existing establishment was accordingly made, and through its operation in 1816, no less than 1,286 accounts of former years were settled, while but a very few accounts of that year were left unsettled. But the settlement of the arrear of accounts was not yet complete, and until complete no reduction of clerks could be reasonably looked for in this department. In consequence of the accounts which had been settled with agents, several balances had been recovered, and many more were to be expected, so that the public purse would derive very material profit from the temporary advance to the War office for the payment of the clerks employed in settling these accounts; although the hon. gentleman seemed to think that the best way would be to pass a wet sponge over them. He (lord Palmerston) must also maintain against the objections, of the gallant officer, that the commissariat was one of the most useful departments of the army, by serving to secure a proper supply of subsistence for the troops. He believed, that no other arrangement could be made which would so effectually combine economy with regularity of supply. It certainly appeared to him that, when supply was provided by contract, it was likely to be cheaper, better, and more regular, than if each regiment were to provide its own supply.—The honourable gentleman observed that the expence of the quarter-master-general's department had increased. He (lord Palmerston) thought it was as nearly as possible at what it had been in 1792, with the exception of the expense of the lithographic press, which had been introduced since that period, with the usefulness of which invention the House was well acquainted, and which had, in effect, produced a great saving in the War-office as well as in that of the quarter-master-general. With regard to the Comptroller's office, it was also said, that an increase had taken place; but the House should always bear in mind that the examination of accounts could never end with the war; nor could the auditing department cease with the services to which they belonged. These were departments of considerable utility, and could not be altered without disadvantage to the country. The Military college was next touched on by the hon. member. It was admitted, that great reductions had been made in the Military college, but it seemed that these reductions were not sufficient to satisfy the hon. gentleman. The House would see that arrangements had been made for consolidating the senior and the junior departments of that establishment from the 24th of June next; so that next year the whole would merge into one department. Several professors were to be reduced, and the annual expenditure of the college would not exceed the sum of 18 or 19,000*l.* The number of cadets was only 400, and the course of study was four years; and the number of vacancies, from January, 1818, to January, 1819, was 127; and every year the greatest number of cadets that might become disposable were not more than might fairly be allowed. He was sure the House would not think that the number of cadets which it was proposed to admit every year, say seven, was too great for the other parts of our military establishment. The hon. gentleman complained of ushers being employed, and contended that they were not a necessary part of a military establishment; but whether they were called ushers, or were called by a military name, their services were necessary for the purpose of preserving discipline. By the new arrangement, each professor would have to attend six hours every day in summer, and five hours every day in winter; and this, he thought, was as much as could be required. The hon. member was of opinion that the senior department was necessary, but that the junior was not, and that it was of no use to instruct officers in the principles of their profession before they went into the army, because they would very soon forget all they had learned. He (lord Palmerston) was of a different opinion. He hoped the hon. gentleman would confirm that opinion by his own experience, and that he would not say he had so rapidly forgot all he had learned in the course of his military education. The majority of the young men educated at the college, had proved by their conduct in the field, the great advantages which the army and the country derived from this establishment. The highest military authorities in the country had considered this establishment essentially necessary to the welfare of the army. If it were admitted that a regular army ought to be kept up, it was equally necessary that it should be a good regular army and a good regular army could only be obtained by instructing officers in the theory of their profession. The effect of discontinuing this establishment would be, to drive these young men to other quarters, and as they would have no means of defraying the expenses of a private education, they would probably be compelled to seek for instruction in German or French establishments, at that critical period of their lives when the impressions they received were calculated to decide the character of the future man. He regretted that he did not observe a gallant officer in his place, who seldom omitted an opportunity of deprecating the introduction of foreign officers, and every assimilation to foreign customs in our troops, for he was persuaded that he would have concurred with him in the propriety of giving to our military youth the advantage of a British education. For his own part, he wished to see the British soldier with a British character, with British habits, with a British education, and with as little as possible of any thing foreign. An annual sum was voted by the House for the education of the Catholic clergy in Ireland; and he would ask, whether the army did not possess as strong claims upon the country, and whether the same considerations which dictated that measure, did not apply with equal or greater force to the establishment of the Military college? With respect to the retired allowances to which the hon. gentleman had objected, they had been granted in the year 1809, and could not therefore militate against the act regulating those allowances, which did not pass till the year 1811. He had now gone through most of the points urged by the hon. gentleman, and he contended that he had laid no parliamentary ground for inquiry. Nothing was more easy than to argue for the expediency of entering into a committee of inquiry. If the question was one generally understood, it was then contended that there could be no objection to granting a committee; if, on the other hand, it involved considerable difficulty, it was argued that so much intricacy of detail necessarily demanded a committee of inquiry. On the subject of the hon. gentleman's motion, however, not only committees, but commissions had been granted, and commissioners as industrious and as independent as any, whom the hon. gentleman could appoint, had been engaged for several years in the laborious, unremitted, investigation of the points connected with this motion. In the years 1817, 1818, and 1819, the House had appointed committees of its own to inquire into the public expenditure, of which expenditure the army formed a considerable part. No doubt the hon. member expected that if this committee were granted, he should be able to detect many a venerable abuse, and at every turn of the spade to bring up some mutilated remains of violated economy; but even if the House were to accede to his motion, he would find himself anticipated; the ground was already dug, and nothing remained to reward the hon. gentleman's industry. The hon. gentleman had alluded to the distresses and financial embarrassments of the country. He (lord Palmerston) would be the last man to speak of those distresses in a slighting manner; but in considering the amount of our burdens we ought not to forget under what circumstances those difficulties had been incurred. Engaged in an arduous struggle, single-handed and unaided, not only against all the powers of Europe but with the confederated forces of the civilized world, our object was not merely military glory—not the temptation of territorial acquisition—not even what might be considered a more justifiable object, the assertion of violated rights and the vindication of national honour, but we were contending for our very existence as an independent nation. When the political horizon was thus clouded, when no human foresight could point out from what quarter relief was to be expected, when the utmost effort of national energy was not to despair, he would put it to the hon. gentleman whether, if at that period it could have been shown that Europe might be delivered from its thraldom, but that this contingent good must be purchased at the price of a long and patient endurance of our domestic burthens, we should not have accepted the conditions with gratitude. He lamented as deeply as the hon. gentleman the burthens of the country, but it should be recollected that they were the price which we had agreed to pay for our freedom and independence.

Mr. *Calcraft* said, that his hon. friend's motion had been much misrepresented by the noble lord, and that the utmost extent of his proposition went only to show, that if the weight of expenditure which bore down the people did not admit of complete alleviation, it might at least be rendered more tolerable. But if any one had only heard the latter part of the noble lord's speech, he would be inclined to think his hon. and gallant friend was demanding some sacrifice, attended with shame, if not with more ruinous consequences. Now, nothing was more contrary to his intention; he only called for a committee of inquiry, and that after entering into such a detail as must impress every man with the necessity for its appointment. In one particular, he could not agree with his hon. friend; he alluded to that part of his speech, in which he proposed to lessen the number of the cavalry establishment. He thought it advisable to preserve the skeleton of this establishment by keeping up a number of dismounted cavalry, to provide for any future occasion, in which it might be necessary to recur to it. Generally, however, he thought the House and the country were deeply indebted to his gallant friend for the laborious and useful duty he had undertaken and so very ably discharged. And if after showing even a probability of saving several hundred thousand pounds a year to the country no inquiry were allowed, he could scarcely think the country ought to be satisfied. The noble lord had said that nothing was more easy than to establish a case for a committee of inquiry, but gentlemen who had any experience in this House, must be aware that although it was very easy to call for a committee of inquiry, nothing was more difficult than to obtain it. The strongest case for inquiry might be made out, but it was overturned at once by that simple receipt, a majority of the House of Commons. The noble lord had made a very brilliant speech, and he could afford to do it, for he made but one speech a year, for which he was rewarded by the possession of one of the richest offices in the gift of the Crown, and he might therefore fairly be considered the best paid orator of the age. The speech was not the worse for having been delivered after due consideration, and he was not at all disposed to detract from its brilliancy. As to the merit of the reasoning, the noble lord himself appeared ready to abandon his pretensions, for he admitted that his hon. friend had established a case for a committee of inquiry. He had but little expectation that the motion would be acceded to, for when reduction was proposed, whether a riding-house, a general, or a baron of exchequer were the subject of inquiry, success in that House was equally hopeless. Under every view of the case, he considered full and satisfactory grounds had been offered for the appointment of a committee, and he should therefore support the motion.

Sir *Henry Parnell* said, as the expenditure of the army amounted to nearly seven millions annually, it became the House to consider whether or not some saving might not be effected, or, at all events, whether a committee should not be appointed to ascertain if it could be effected. An hon. friend of his had said, the noble lord was well paid for making an annual speech, but his hon. friend had overrated the noble lord's deserts, for last year he made no speech; and on the army estimates being brought down, referred the House merely to the dry details. The civil offices in the army department were, now in the fifth year of peace, greater than after the first four years of the last war. In the year 1792 one department cost 813*l.*; and in the year 1819 it had increased to 7,453*l.* In the department of the secretary at war, the expenditure was the same in 1796 as it was now, and amounted to about 51,000*l.* In that of the paymaster of the forces, an increase had taken place of nearly 5,000*l.*; the amount being in 1796, 19,000*l.*; and in 1819, 24,000*l.* When it was considered in addition to those circumstances, that the revenue of the country had fallen off nearly fifteen hundred thousand pounds, he thought it not too much to call for some inquiry.

Colonel *Davies*, in reply, said, that the statements he had made, and the arguments which he had drawn from them, had been only met by the assertions of the noble lord, which, however convincing or satisfactory to the House of Commons, could not be so to the country in general. With respect to the commission of military inquiry to which reference had been made by the noble lord, it had existed only during war. After entering into a recapitulation of the various topics he had urged in his opening speech, he concluded by expressing his conviction that if the House would not be thought wholly inattentive to the interests of the country, they would promote an inquiry, which was calculated to effect so large a saving in the public expenditure.

Colonel *Grant* begged to offer some observations to the House as a military man. He objected to any decrease of the cavalry establishment, and contended that nothing was more useful than to keep up a large skeleton of officers and non-commissioned officers, who might be ready for active service upon future emergencies. In alluding to the forge-carts, which had been objected to on the ground of unnecessary expenditure, he observed, that they were on many occasions of the greatest service, and that much distress had been experienced from the want of them in the retreat of sir John Moore from Corunna. Adverting to the riding school, and to the number of staff employed, he contended that they were both indispensable.

Mr. *Ellice* said, he merely rose to state the grounds on which he meant to support the hon. member's motion for inquiry. To the various details of the question, whether regarding cavalry or infantry, he professed himself incompetent; but it was his wish to look a little beyond those details; and he thought that some inquiry ought to be made as to the necessity of keeping up the unheard-of military force now established in this country in a time of peace. He thought, too, that some inquiry ought to be made into the ability of the colonies to support the troops stationed abroad; and that it would be a question for the consideration of the House, how far it was desirable to keep those colonies, which required a large military force for their protection. There was also another motive why he voted in favour of the motion—we had recently added considerably to our military force for local purposes; he thought it necessary to inquire how far the continuance of that additional force was necessary, at a time, too, when the country was borne down by a load of debt and taxation. Unless some member of administration should more fully enter into detail on this subject, he should vote for the motion of the gallant colonel, in the event of his dividing the House.

Colonel *Davies* rose to explain. It had never been his intention, in his allusion to the forge carts, to maintain that they were not necessary on foreign service. The gallant colonel had completely misunderstood him in supposing he considered this expense as an unnecessary one on actual service.

The House divided: Ayes, 45; Noes, 125: Majority against the Motion, 80.

List of the Minority.

Allan, J. H.
Althorp, lord
Bary, lord
Barrett, S.
Barham, J. F. jun.
Bright, H.
Calvert, C.
Carter, T.
Crompton, Sam.
De Crespigny, sir W.
Dundas, T.
Dundas, H. L.
Grenfell, Pascoe
Gurney, R. H.
Haldimand, W.
Heron, sir R.
Harbord, hon. E.
Kennedy, T.
Lushington, Dr.
Milbank, Mark
Maxwell, W.
Milton, lord
Monck, J. B.
Newport, sir J.
Ord, W.
O'Callaghan, J.
Palmer, F.
Power, R.
Parnell, sir H.
Parnell, W.
Pryce, R.
Ramsden, J. C.
Robinson, sir G.
Smith, A.
Smith, Wm.
Smith, Samuel
Sefton, lord
Sykes, D.
Spurrier, C. H.
Wood, alderman
Webb, E.
Whitbread, S. C.
Whitbread, W. H.

TELLERS.

Davies, col.
Ellice, Edw.

HOUSE OF COMMONS.

Wednesday, May 17.

Navy Estimates.] The House having resolved itself into a Committee of Supply, to which the Navy Estimates were referred,

Sir *George Warrender* proceeded to observe, that it was not intended to make any material difference between the vote of the last and the estimates of the present year. He believed the propriety of the addition which had been made to the marines was not likely to be called in question. On this occasion, he should only move for a vote, of the sum of 500,000*l.* on account. As the estimates had only been laid on the table that day, the present would be an unfavourable opportunity of going into any consideration of them. He should content himself, therefore, with moving certain resolutions as to the general heads of them, and with proposing a vote of 500,000*l.* on account. The hon. baronet then moved, 1. "That 23,000 men be employed for the sea service, for thirteen lunar months, from the 1st of Jan. 1820, including 8,000 royal marines. 2. That 650,325*l.* be granted to his majesty, for wages of the said 23,000 men, for thirteen lunar months, at the rate of 2*l.* 3*s.* 6*d.* per man per month. 3. That 612,950*l.* be granted, for victuals for the said 23,000 men, for thirteen lunar months, at the rate of 2*l.* 1*s.* per man per month. 4. That 612,950*l.* be granted for the wear and tear of the ships in which the said 23,000 men are to serve, for thirteen lunar months, at the rate of 2*l.* 1*s.* per man per month. 5. That 104,650*l.* be granted for ordnance for sea service on board the ships in which the said 23,000 men are to serve for thirteen lunar months, at the rate of 7*s.* per man per month. 6. That 500,000*l.* be granted to his majesty upon account, towards defraying certain naval services for the year 1820."

The Resolutions were agreed to.

Transactions at Manchester.] Mr. *Hobhouse*, in the absence of his hon. colleague (sir F. Burdett), wished to correct an error in the entry-book, as to a notice given by the hon. baronet. It was supposed that he had given notice of a motion relative to the inquest at Oldham, but the intended motion would refer to the transactions at Manchester on the 16th of August last, and would be brought forward on the earliest open day after the holidays.

The *Speaker*, on examining the entry-book, said, the notice appeared to be as it was now described.

Mr. *Hobhouse* apologized for the mistake, and fixed the motion for the 8th of June.

Civil List Bill.] Lord Castlereagh moved the order of the day for the House to resolve itself into a committee on this bill. On the motion that the Speaker do leave the chair,

Mr. *Bennet* said, he wished, before the question was decided, to make a few observations; and, in the first place, he would state, with regard to the notice he had given to move a clause in the committee for the exclusion of persons from that House who received pensions from the civil list, that he had abandoned that idea, and would proceed in a different way. He could not help expressing his surprise that ministers had thought proper to introduce the civil list to the House in the manner they had done; because he felt that it was neither advantageous to the Crown, nor befitting the present situation of the country. Let the House always bear it in view, that the civil list now called for was founded on the report of a committee appointed by the ministers of the Crown—they having, in the first place, expressly refused the motion of his right hon. friend (Mr. Tierney), that persons, papers, and records, should be examined. The only persons, therefore, who were examined, were the ministers themselves; and now, without having any new information of any sort or kind laid before parliament, they thought fit to come down to the House and call for a civil list, exactly of the same amount, precisely in the same manner, and with the very identical machinery, as had been witnessed in 1816. He perfectly recollected the arguments used by the noble lord in 1816, and by the late Mr. Perceval in 1812. At those periods, when the different discussions on the civil list took place, ministers exclaimed, "Don't interfere with the question now; the time will come, and probably very soon, when the whole subject will be brought under the consideration of parliament." That time had come; and the way ministers now used the House was, to negative every motion for inquiry, to deny every paper called for, and to refer them, forsooth, to the documents of 1816. He, for one, considered the civil list as a great deal too large under any circumstances; but, under the existing circumstances of the country, it appeared to him to be so large that it must excite out of doors very unpleasant feelings. The House would recollect that the civil list was constructed on the estimate of three of the most expensive years that had ever occurred, and during a period when the currency was greatly depreciated. When, therefore, ministers came down, and placed in the mouth of his majesty a statement, that the Crown did not wish for an increase of the sum previously paid, they seemed to have let the fact escape from their memory, that the Crown would by this arrangement actually get more. Surely they must be aware of the change in the state of the currency, which was improved at least 25 per cent, and to that extent the Crown would be better in 1820 than it was in 1816. When this was the case, he was not surprised to hear ministers say that the system "worked well." It did indeed work well. It made 25 per cent better for the Crown; but in proportion as it worked well for the Crown, it worked ill for the country. He conceived it would be much more becoming, if, as was done in queen Anne's time, the Crown gave up something to the people, instead of taking all that could be got. Let the House look to the difference between the last reign and that which preceded it. Did they not know that there was but one increase of the civil list during the reign of George 2nd, except at the period of the rebellion? That increase arose from the non-payment of revenues that had been separated from the Crown; and when Mr. Pelham the minister of George 2nd, called on the House for 400,000*l.*, he pledged the civil list for the re-payment of that money. What was the case in the last reign? The civil list debts were paid no less than nine times—a sum of between eight and nine millions sterling having been from time to time voted in aid of the civil list expenditure. The present opportunity should be taken for the examination of the whole system of the civil list, not only with respect to the money received, but also with reference to the manner in which it had been distributed. But, instead of such an investigation, they were, it seemed, to have the ancient, barbarous, Gothic structure continued. This was not extraordinary; for though with different names, the same set of men had been carrying on the government for the last fifty years. The voice might be the voice of Jacob, but the hand was the hand of Esau. When the same body of men had, in fact, governed the country for so many years, he did not wonder that they described the system as having "worked well" for them. He begged the noble lord opposite, and his majesty's ministers, to consider what this country felt and suffered at this moment. If they did consider the situation of the country, they must perceive that splendor of style did not become the Crown at this distressful period, but that parsimony and strict economy in every department of the state, ought to be sedulously adopted. He recollected an expression, and a very just one, that was some years ago made use of in that House, when it was said "that it was not fitting for a country so sick at heart to look so well in the face." The sentiment was a true one; and he would observe, that it was not fitting, when the people were almost beggars, that the court should display so much grandeur. He was anxious for this opportunity of stating his opinion, because he felt most sincerely that economy at the present moment ought rather to be consulted, than that gaudy splendor which did not benefit the country. On a farther consideration of the measure which he had originally intended to propose, and which he meant to have introduced in the shape of a clause, he felt that it would be better to abandon the course of proceeding. But, after the holidays, he meant to introduce a bill to extend the principle of the act of Geo. 1st, which disqualified persons accepting of places, from sitting in that House, to those who accepted pensions from the civil list. Some time since, he had moved for an account of the number of pensions granted, with reference to England, Scotland, and Ireland. That paper had not been laid on the table. This circumstance was the more remarkable, because it was one of the very few papers which the right hon. gentleman thought fit to grant. The greater number of those moved for was refused, and those which he was pleased to grant had not been produced. In consequence, he was obliged to take the pension list, as it stood in 1817; and, on a rough calculation, the pensions paid out of the civil list, for England, Scotland, and Ireland, amounted to 257,000*l.*; from the consolidated fund, 87,000*l.*; and, from other sources, 29,000*l.* So that the gross amount was 373,000*l.* This he considered to be a very enormous sum; much more than the Crown ought to have a power over for the purpose of granting pensions. One remark he particularly wished to make with regard to Scotland. In the beginning of the last reign, there was a small surplus of revenue, of 2 or 3,000*l.*, set apart in aid of the civil list. That sum had gradually risen to 30,000*l.* or 40,000*l.*, which was appointed to the same purpose; and in 1817, 37,000*l.* were distributed from that surplus in pensions to the ladies and gentlemen of Scotland. Now, he was quite sure, when parliament made the settlement of 1760, it never was contemplated that the Crown should enjoy that large sum in Scotland, in addition to the provision which was then agreed to. When Mr. Burke's bill was under consideration, the continuance of that fund was not thought of. It was passed over in courtesy, under the impression that within a few years it would be done away.—He would now offer a remark in order to correct the statement of a right hon. gentleman (Mr. Huskisson) whom he did not see in his place. That right hon. gentleman had on a former night observed, that the House had no right to call for any documents, or to require any explanation, as to the civil list, unless the Crown came down and required assistance. And, in support of this assertion, he had quoted the authority of Mr. Fox. Now, he (Mr. Bennet) was of opinion, that Mr. Fox never intended to lay down such a proposition, which was contrary to the whole tenor of his political life. He had, in consequence, looked over all the discussions that had arisen on Mr. Burke's bill; and he there found that Mr. Fox not only held a distinctly opposite opinion, but that he had avowed it in answer to an hon. member who broached doctrines similar to those held the other night by the right hon. gentleman to whom he had alluded. Mr. Fox declared warmly, in his old-fashioned constitutional tone, that it was not only the duty of the House to inquire into, but even to resume the grants of the civil list, if the distress of the country, or the abuse of those grants, warranted it in so doing. And he called on the then Speaker, sir Fletcher Norton, for his opinion, who went the whole broad length Mr. Fox had gone.* He stated this in order to correct a misrepresentation, because he conceived that it was not fair to quote the supposed sentiments of Mr. Fox against the whole course and tenour of his political life.

The House then went into the committee. The blank left for the amount of the English civil list was filled up with the sum of 850,000*l.* without observation. When the question was put that the blank left for the amount of the Irish civil list should be filled up with 207,000*l.*,

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* Parliamentary History, v. 21, p. 258.

Sir *J. Newport* expressed a hope that some documents would be laid before the House with respect to the manner in which the civil list for Ireland was disposed of. He had called for certain *data* by which the judgment of the House might be guided; and, in consequence, a paper had been produced, giving an account of certain sums payable from the civil list of Ireland. He had looked into the act of 1793, in which the civil list of Ireland had originated, and there he found it divided into eight classes. Now, the paper which he held in his hand comprised no less than thirteen classes; and he would call the attention of the House to it, as the most extraordinary classification of a civil list he had ever seen. In 1793, the courts of justice formed one class; here they formed four. The Court of Chancery was divided from the Exchequer, the Exchequer from the King's-bench, and the King's bench from the Common Pleas. He could not at all understand why the old sytem was abandoned. They now went on to make a separate class of "customs' officers;" "incidents" another class; and "the Admiralty, with respect to Ireland," another class. The Admiralty of Ireland consisted of a "judge," who had not been resident in that country for seven years, and was discharging his duty by deputy. Then came a ninth class, "barracks and board of works," for which there was a charge of 3,350*l.* This certainly formed one of the classes in the original civil list arrangement; but it then included the lord-lieutenant's and the chief secretary's house and gardens, which were not intended to be comprised in this list; and the expense of which, from 20,000*l.* to 30,000*l.*, was made good by votes of that House. He could not conceive why the board of works could not be paid in the old manner. There was, in the class of "state officers," a clause to which he decidedly objected—he meant the lord-lieutenant's additional salary of 10,000*l.* per annum. In saying this, he did not intend to object to it with respect to the present lord-lieutenant, because he had accepted of the office under the provisions of the act which had passed some years ago, for increasing the salary; he did however hope that, when a new lord-lieutenant was appointed, care would be taken to omit this additional 10,000*l.* a year. If the office were to be continued—the expediency of which was a doubtful matter—he trusted that, for the benefit of the public at large, they would revert to the old salary, which was deemed sufficient when the lords-lieutenant were obliged to keep up a much greater degree of state and splendor than they were now called on to do. He would, when an opportunity occurred, move, that this additional allowance of 10,000*l.* a year be omitted. In conclusion, the right hon. baronet expressed his opinion that it would be better to recur to the classification of 1793, and to put an end to that subdivision, which only tended to render complex that which would otherwise be perfectly clear.

Lord *Castlereagh* said, that, as far as his knowledge extended, the emoluments of the office of lord-lieutenant were completely unequal to defray its necessary expenses. One noble duke, lately deceased, who had held the situation, had crippled his fortune considerably, although the salary had been improved. Parliament, feeling that the salary was inadequate to support the dignity of the situation, had thought proper to raise it to 30,000*l.* a-year, by voting 10,000*l.* additional. Arrangements were made that it always should be defrayed out of the civil list of Ireland; and, in truth, even with that increase, the salary was not sufficient to meet the charges. He would have stated this before, but he understood the observations of the right hon. baronet to be rather intended as a notice than as indicating a determination to bring forward any motion at the present moment. The reasons which formerly induced parliament to grant this additional 10,000*l.* were then considered wise, and he conceived that they were equally wise now. It was charged on the civil list, and not on the consolidated fund; which proved how desirous government were to pursue a system of economy.

Sir *J. Newport* said, there was not any thing like the same degree of splendor now kept up by the lord-lieutenant of Ireland as there had been at former periods when the salary was not so large. He would state further, that since the period when the increase was granted, a great alteration had taken place in the state of the currency; so that 20,000*l.* in the year 1820 was nearly equal to 25,000*l.* in 1810. The noble lord had said, that the increase was charged on the civil list, and not on the consolidated fund; but he should recollect that the reduction of the pension-list, which was at that time considerably beyond 80,000*l.* a year, had added so much to the civil list, as enabled it to bear, without any difficulty, the new imposition. He therefore again claimed some reason from the noble lord, to justify the continuance of this 10,000*l.* a-year. With respect to what he had before said, his desire was to discuss this particular point at a future period, if, in any particular stage, it were more by itself, and less mixed with other matter; but nothing he had said could preclude him from proceeding now, if he pleased. As to the decision in 1812, when the currency was greatly depreciated, it had nothing whatsoever to do with the decision of the present day. If they adopted such a principle, they might always be referred to that period whenever the distribution of the civil list was brought under the consideration of that House.

Mr. *C. Grant*, not having been in the House at the period alluded to by the right hon. baronet, could not express any opinion on the facts stated by him, but, from his connexion with Ireland, he felt himself called on to state, that the salary now allowed to the lord-lieutenant was not too great when they considered the dignity of the situation. It was, he believed, a well-known fact that the late duke of Richmond suffered severely in his private fortune in consequence of the smallness of his allowance. He could also state, that the late lord-lieutenant had said that the salary, though then increased to 30,000*l.* a-year, was barely adequate to meet the expenses of the office. With respect to the present lord-lieutenant, although he had had no communication with him on the subject, he could say, that unless his lordship's establishment was directed in the most economical and skilful manner, he must be a loser by the situation. This he stated on good authority, and he thought he could not produce better testimony as to the inadequacy of the salary, than that which might be derived from the conduct of the present lord-lieutenant, who, while he upheld that splendor and dignity which were worthy of his situation, could not be charged by any man with extravagance or profusion. Knowing the situation in which that nobleman was placed, knowing the scale on which he kept up the dignity of his court, he was convinced that, if he did not proceed on the most economical principles, he would be a loser while discharging the duties of that great office. He was sure that no gentleman who heard him would wish that any individual placed in a public situation should impair his private fortune in consequence. Such a principle would be extremely objectionable: the House must feel it, and therefore he would not further occupy their attention by enlarging on it.

Mr. *Tierney* complained that they were called on to vote a sum of 850,000*l.* for the English civil list without any inquiry. They were laconically told, that the present estimate was founded on the report of 1816, and then they were informed that no further information could be given; but, with respect to the sum of 207,000*l.* for Ireland, they knew nothing whatsoever. He believed a paper which was called an estimate, containing the 13 classes of the Irish civil list, had been laid on the table, and this was all that was afforded them on the subject. He should be glad to know, if a committee of that House sat in 1816 to examine all the expenses of the civil list, why a similar inquiry should not now take place with respect to the expenses of his majesty's representative in Ireland. He did not doubt what had fallen from the right hon. secretary. Perhaps information might be laid before the House, proving that 30,000*l.* per annum were not sufficient to defray the expenses of the lord-lieutenant. But the question was, whether the entire expense to which a lord-lieutenant was subjected, was to be taken out of the public purse? Was his private fortune to be wholly saved while he remained in office? There were some situations he knew, in which it was expected that emolument should be made; but this was not one of them. This was not an office of profit and emolument; it was one of honour and dignity, which always led to very high considerations on the part of the Crown. Besides this, the House should not lose sight of the patronage enjoyed by a lord-lieutenant. When the right hon. secretary said that the salary was not sufficient, he would ask, whether the right hon. secretary ever knew the smallest difficulty in finding an individual to fill the situation? He had certainly heard of several persons being angry that they were not appointed to the situation, when the allowance was only 20,000*l.* a-year; but he had never known that any nobleman had stated his feelings to be hurt when appointed to the office with that amount of salary. They talked of the difference of times and circumstances. Now, in deciding this question, they ought to look to the expense of keeping up the court in Ireland, at former periods, and contrast it with the present. They ought also to consider the difference which existed between their means of defraying expenses formerly and now. It was, in his opinion, very improper to go on granting a certain sum, without stating any sufficient reason for it. Some gentlemen thought that the office was not at all necessary. On that point he would offer no opinion; for he did not know how the fact stood. But when they called on him to make a permanent arrangement for the present reign, he wished to know on what ground they proceeded. Was it on the same principle as that on which the English civil list was to be settled, namely, an average estimate of four years? The whole argument, brief as it was, was contained in the statement of that estimate; but, with respect to the Irish civil list, it was a thing of which he knew nothing; and, with the exception of his right hon. friend (sir J. Newport) and one or two others, he believed the House were as much in the dark on it as himself. The sum of 30,000*l.* might not be enough for a lord-lieutenant, assuming that the whole of his private fortune must be allowed to accumulate; but he should hope that, in selecting a proper person for the situation, his majesty would look to those who cherished objects of greater importance than mere emolument. If, however, it were merely a matter of money and nothing else, he must consider it as a money transaction, and demand a proper reason for granting a specific sum. Therefore he considered inquiry was necessary. He knew, however, that ministers wished to grant no information to the House. All they desired was, to get the matter through parliament as fast as possible, and without any debate. He had got his answer on that head the other night. He had called for inquiry, but he was told that there was no necessity to investigate the matter at all. As to fighting the bill in detail, it was utterly impossible. He could not do so, in the absence of information. If it were attempted, one amendment would come on the back of another in such confusion that they could not proceed. This was the inevitable consequence of proposing a gross sum without examination. Whatever measure was introduced should have arisen out of the deliberations of a committee, and the grounds for it should have been clearly stated. But here was a proposition determined on without any inquiry; as if, truly, that which was good sixty years ago must be equally good now, the circumstances of the times being wholly altered. He did not wish to throw any obstacle in the way of men of high rank going over to Ireland as lords-lieutenant, but the House owed it to the public to examine what was necessary for the support of that office.

Sir *Henry Parnell* contended, that the office of lord lieutenant of Ireland was altogether as useless as it was expensive. He was of opinion that having separate governments for England and for Ireland, led to inconvenience and embarrassment. At present it was well known that a serious division existed between the members of the government of that country. To the present lord lieutenant and the right hon. gentleman opposite (Mr. Grant) every thanks and gratitude were due. That right hon. gentleman had displayed both policy and liberality, integrity in his views, and conciliation in his manner; but he regretted to say that other members of the Irish government were not distinguished for similar virtues. He believed that the office of lord lieutenant, instead of an expence of 30,000*l*, cost the nation at least a sum of 100,000*l*. Independent of the saving of so large a sum, it would produce regularity and uniformity in the system of the government if the office were altogether abolished.

Lord *Castlereagh* said, that as to the observation made, that the House had no information before them respecting the Irish civil list for coming to a decision, he apprehended they had. There had never been occasion to bring the civil list of Ireland before parliament with a view of calling for any supply to make up its deficiency. It had never been in debt; while the civil list of England had been several times under consideration, either with the view of supplying its deficiency, or with the view of transferring some of its charges to other funds. Yet the civil list of Ireland had been brought under review. The sum of 225,000*l.* had been before the committee, of which the hon. gentleman on the floor (Mr. Bankes) had been chairman, when inquiry was made what offices, especially of a sinecure character, could be abolished. With respect to the 207,000*l.* now granted, it ought to be remembered that by the abolition of offices of a sinecure character, or that had been subjected to regulation, 17,000*l.* would fall in, and in that event this sum would not be at the disposal of the Crown, but would fall into the consolidated fund. As to the 13 classes in the Irish civil list, they were so numerous, not because the expence was greater, but for the purpose of giving more information. If the right hon. gentleman wished for a specification of the expenses down to the lowest sum, he had no objection to give it to him, for he held it now in his hand; but he should be sorry that the bill should stand till the paper could be printed. The only item that appeared now to be in question was, the addition made, in 1810, to the lord lieutenant's salary. That had been made after full consideration. This discussion upon it seemed only preparatory, and by a side-wind aiming at the abolition of the lord-lieutenancy, and the consolidation of the government of both countries. The hon. baronet who spoke last, had distinctly avowed this object. He thought there were circumstances in the local situation, in the internal government, in the difficulty of communication with this country, which would make the abolition of this office highly detrimental. He could not see how matters of police and revenue could be managed without the presence of a person of this importance. It was, however, a very large question of general policy, on which he would not enter further now. The right hon. gentleman had said that the currency had been ameliorated 25 per cent. He, however, was ignorant of this influx of wealth. Several articles were lowered in prices, but still he believed household expences were not much lower. If the hon. gentleman had found his wealth improved 25 per cent. he believed he was a solitary instance. The addition to the salary had not been made for the purpose of making the situation lucrative, nor was it first suggested by his side of the House. When lord Hardwicke returned from that office, he strongly represented the injury that would be done to his successor if the situation was not made better. He deprecated such an allowance to the lord lieutenant of Ireland as would prevent any from holding that office but leviathans in point of property. If none could hold it but such as the duke of Devonshire or the duke of Bedford, with all possible respect for their station and independence, he thought it would be a misfortune. He could not view it but as a great misfortune if persons of great respectability and character—if lord Whitworth, for instance, who was so well fitted for such an office by personal respectability and previous services—could not encounter its expenses without sacrificing their private fortune. The question, in fact, resolved itself into this—whether a committee should be instituted to inquire into the private expenses of the lord lieutenant? But this was foreign to the purpose of a civil list. It was not intended to regulate the expenses of the lord chamberlain or the lord steward. He knew that accounts of such expenses had been called for; but the civil list was for general services, and accounts were called for only to ascertain the debt, and to bring before the House the grounds on which any sum was afterwards to be appropriated. Particular charges were not so much the object, as the general expenses, and the manner in which the civil list was to be regulated.

Mr. *Shaw* expressed his regret and astonishment to hear any Irish member suggesting in that House, the policy of abolishing the office of lord lieutenant of Ireland. Dublin had suffered most severely by the Act of Union, and no saving that might follow the abolition of the office could be compared to the destruction which that measure would bring upon the citizens of Dublin. Every one at all acquainted with the state of Ireland, knew how much, and how severely she suffered by absentees, but if the office of lord lieutenant, the last remaining inducement for men of property to remain at home, was abolished, it would have the effect of banishing them altogether from Ireland.

Sir *John Newport* said, he had never entertained the idea of the abolition of the lord-lieutenancy, and begged not to be implicated in that charge.

Mr. *Wellesley Pole* said, that his late right hon. friend Mr. Perceval had brought forward the motion for augmenting the salary of the lord lieutenant, after he had ascertained that no lord lieutenant could hold the office without expending double the sum allowed. The noble duke who then held the office was not aware of the investigation, and to any inquiry of the kind he would have turned a deaf ear. It was all done without his knowledge. It was thought unjust that the lord lieutenant should spend 30,000*l.* while his salary was only 20,000*l.* Greater attention could not have been paid to economy than that noble duke paid, yet he could not perform his duty to the country without far exceeding his salary. There were a great number of public duties which he had to perform, and none more important than that of being at the head of all public charities; and it would be found that a very large portion of the income of the lord lieutenant was expended in charities. Nothing would give greater dissatisfaction in Ireland than the abolition of the lord lieutenancy. His hon colleague had now said it should be abolished, but he had never heard such a proposition mentioned in Ireland without exciting a high degree of dissatisfaction. He agreed with the hon. member for Dublin, that such a measure would excite great discontent, and would be as great a calamity as Ireland ever felt. Families of rank in that country would be deprived of a court—they would have no court to resort to, to which they might present their wives and daughters [a laugh]. He could assure the House that the gentlemen of Ireland were as high and as proud as could be found in any other part of the world; they would look on it as a degradation, if having communications of importance to make to the government, they were referred to the chief secretary, instead of havin a direct communication with the representative of majesty. Events had happened, and might happen again in Ireland, which might require measures of the utmost promptitude and decision. The lord lieutenant, in critical emergencies could take upon himself to act with vigour, when a person of the rank of the secretary could not venture to do so. He believed, indeed, that there was no man of respectability in Ireland who would wish to see the office of lord lieutenant abolished. As to the salary when it was settled at its present increased rate, it was never imagined that it was adequate to cover the expenses of the office, but it was intended that it should be such as to enable a man of fortune to exercise the office, without too much encroaching on his own property. No man could undertake properly to fill the office of lord lieutenant without spending 10,000*l.* a year of his private income.

Mr. *Tierney* said, he had never lent himself to any such proposition as that of the abolition of the office of lord lieutenant. He had always conceived that propositions respecting the abolition of offices retained at the Union should come from Irish gentlemen.

Sir *H. Parnell* wished to be understood that he had not imputed the least blame to earl Talbot. As to the propriety of retaining the office of lord lieutenant, there was a difference in his opinion and that of his right hon. friend, of the view taken of that question in Ireland; and the difference was easily accounted for. His right hon. friend (Mr. W. Pole) had spent most of his time in the Castle at Dublin, where there was not a whisper, no doubt, against such an office. He (sir H. P.) on the other hand, spent most of his time in the country in Ireland, where he often heard the opinion that a change might advantageously take place in the executive government of Ireland. It was not his wish to abolish the office of lord lieutenant without finding a substitute; but he thought the business of the police of Ireland would be much better managed by appointing lords lieutenants of counties, after the English system. Much difficulty was at present felt from the want of authorities in the different counties, to communicate with the government, as the governors of counties did not answer this purpose. Formerly there was a strong opinion in favour of the office of lord lieutenant, but at present the general opinion respecting it was much changed.

Mr. *Baring* allowed, that it was not proper for an English member to interfere to propose the abolition of such an office as that of lord lieutenant of Ireland, and he thought, that whatever little pomp remained in the capital of Ireland, should not be abolished. But, he observed, in general, that propositions for the increase of the salaries of offices passed very easily in the House, and that during all the time he had sat there, he had never known any reduction of those salaries to be made. When 10,000*l.* was added to the salary of the lord lieutenant, there was a sort of pretence for it, which did not at present exist, viz. the state of the currency. Though it was impossible for him to know whether 20 or 30,000*l.* a year was precisely the fit salary for a lord lieutenant, he protested against the doctrine, that salaries should be increased merely because it was said that otherwise only men of great fortune could fill the offices. This might lead to an indefinite augmentation of salaries. For instance, if it was asked why the governor of the Cape of Good Hope had now 10,000*l.* a year, or twice as much as any other governor, which was perfectly absurd, the same answer might be made, that without such a salary, only those whom the noble lord called the leviathans of fortune, could fill the office. Since the change in the state of the circulation, there was no man of any condition, whose fortune numerically in pounds sterling had not been diminished, though it was a question whether the sum they now possessed would not go as far in the purchase of the necessaries or comforts of life, as the larger nominal sum would heretofore. It therefore became, at least, a fair matter of consideration, whether the salaries of the great public officers which had been increased during the depreciation of the currency, should not also suffer reduction.

The clause was agreed to, and the House resumed.

HOUSE OF COMMONS.

Thursday, May 18.

CIVIL LIST BILL.] On the order of the day for receiving the report of this bill,

Mr. *Curwen* said, he could not but deeply lament, that, in the present state of the country, ministers had not recommended and acted upon that system of economy, the necessity for which was so universally admitted. Instead of the measure now before them, he had hoped that ministers, on the part of the Crown, would have stated that a considerable diminution of the civil-list expenditure was intended; because, however desirable it was to support the dignity of the Crown, still, at a period like the present, the sufferings and privations of the people ought to be attended to and removed as much as possible. With this feeling, he conceived the greatest ornament of the Crown at this moment would be economy and retrenchment. Every man who felt the real state of the country must be convinced that its prosperity could alone be hoped for by considerably diminishing the public expenditure. He regretted that a proposition of that kind had not been made on the part of ministers, particularly with reference to the civil list. He conceived that a well-considered diminution of that expenditure would at once conduce to the true dignity of the Crown, and be found in every point of view serviceable to the country.

Mr. *Monck* observed, that the allowances granted to our ambassadors and envoys were extravagant and enormous. He did not wish the country to be niggardly towards those individuals, but he conceived that it would not be derogatory to the dignity of this government if they were put on the same footing as one of the greatest monarchs of Europe —he meant the king of France—placed the ambassadors of that nation. He was credibly informed that there were but two classes of French ambassadors, the higher and the inferior. The members of the first class were paid 6,000*l.* a year each, with the single exception of the ambassador to the court of London, who, in consequence of the high rate of living in this metropolis, was allowed 200,000 francs, or about 8,000*l.* sterling. Now, our principal ambassadors had not less than 12,000*l.* a year; and the salaries of our ambassadors at the inferior courts varied from 5,000*l.* to 4,000*l.* and 3,000*l.* Thus this government gave, as nearly as could be, double the allowances granted to the ambassadors of one of the first monarchs in Europe. This made a difference, on the whole, of nearly 80,000*l.* a year, or, in other words, our government were paying 80,000*l.* annually more than was paid by the French government for similar service. Such a saving was important at all times, but particularly so in the present circumstances of the country.

Lord *Castlereagh* said, that in 1815 a committee of the House of Commons investigated this branch of expenditure and recommended that the present allowances should be granted. That recommendation was acceded to without opposition; and the provision then suggested, and which was made on a general view of the subject, had been continued ever since. Prior to that period particular sums were granted for particular branches of expense to which our ambassadors were liable, but it was thought better to give a specific salary. He could assure the hon. member that the subject had undergone a great deal of consideration, with a view to the greatest possible economy, and at the same time to avoid impoverishing or embarrassing individuals employed as ambassadors. There were, at the former period, large demands under the head of extraordinaries, which created much embarrassment; and it was therefore thought expedient to do away with claims of that description, and to give in lieu of them a fair and liberal addition to the rate of salary to our ministers abroad. With respect to the observation made by the hon. member relative to the course pursued by the French government, he did not think it was an infallible criterion as to the amount of salary which British ambassadors should receive, that, because other courts only paid certain sums, they were bound to follow the example.

Mr. *D. W. Harvey* said, the observations that had fallen from the hon. member afforded a further proof of the necessity of that discussion and inquiry relative to the items of the civil list which had been so repeatedly called for by gentlemen on his side of the House, and as repeatedly refused by the gentlemen opposite. A committee had, it appeared, sat in 1815, and it was said that their decision proceeded on such grounds, that there could be no mistake in the correctness of their calculations. It was, however, properly replied, that the government had stripped that committee of all those powers which could alone enable them to perform their duties effectually. The hon. member for Taunton had truly stated, that ministers had prevented a close, vigorous, and efficient investigation of every part of the civil list expenditure, and had refused to the committee those facilities by the use of which alone they could hope to arrive at a just conclusion. But, supposing, in 1815, a committee, clothed with such power as would have enabled them to have properly examined the subject, had been appointed, still a fresh inquiry was, he contended, necessary, because the two periods were wholly dissimilar, and the state of the country now was far more critical.

Mr. *Philips* said, that the noble lord, in speaking of the salaries granted to our ambassadors, seemed to have forgotten the depreciated state of the currency when the last arrangement was made. The sum of 12,000*l.* granted in 1815 was now equal to 15,000*l.* This circumstance afforded a strong reason either for diminishing the expense, or for inquiring into its necessity. The noble lord had given no satisfactory answer as to the difference in diplomatic expenses which appeared to exist between this government and that of France. He had not stated why our expenses should be double those of the French government.

Lord *Castlereagh* said, that when the arrangement was made, it was specifically agreed that our ambassadors should have a fixed salary, independent of any alteration in the currency. That salary was to cover all extraordinaries, and was not liable to be increased on account of any unfavourable fluctuation in the foreign exchanges. As to the hon. member's information relative to the payment of foreign ambassadors, he knew not the source from which he had derived it, and of course could not answer for its correctness.

Mr. *Monck* said, he had derived his information from a French gentleman who was in the diplomatic line.

Sir *R. Wilson* said, that having had an opportunity of seeing our ambassadors in other countries, he thought it but an act of candour to say, that there were claims made on the hospitality of the English ambassadors which were not made on the ambassadors of any other court.

The report was then agreed to.

HOUSE OF COMMONS.

Friday, May 19.

Commercial Restrictions — Petition from Manchester.] Mr. Blackburne presented a Petition from the merchants, manufacturers, and other inhabitants of Manchester, praying a removal of those restrictions by which our commercial intercourse with other nations was impeded.

Mr. *Philips* expressed his satisfaction at finding that petitions of this kind were presented from such extensive manufacturing districts as those of Manchester and its vicinity. It was a convincing proof of the progress of information on the true principle of commercial policy. It was to be lamented that, while such respectable bodies were proceeding thus, another body of persons, the agriculturists, should continue to call for separate protection and relief. He regretted to find that the exploded doctrine of partial protection should still be adhered to by any one set of persons in the country. It was impossible that any such protection, extended exclusively to one branch of society, should not injure not only itself, but the other branches also. He was of opinion that the agriculture, the commerce, and the manufactures of the country had but one common interest. Whatever injured any one must also be prejudicial to the others. He was sorry to see such unceasing attempts made, to excite prejudice in the public mind on this subject. By no one was this more strongly persevered in than by a gentleman who had lately circulated papers among the members on the subject. The gentleman to whom he alluded was Mr. George Webb Hall, who was chairman of the Agricultural society. He must say, having looked over those papers, that he had never witnessed a greater confusion of ideas, or ignorance of political economy manifested. For instance, he proposed the exclusion of foreign imports, on the ground that by encouraging it we should encourage foreign labour. The persons, however, though more immediately concerned, thought differently; they said it was delusive to expect that we could export our produce, without admitting that of other countries. This gentleman said, that if we encouraged the introduction of foreign produce, we should discourage domestic industry. This was a specimen of the confusion of the writer's ideas on the subject. He would notice another error. Mr. Hall took the year 1813 as that of our greatest prosperity; and this prosperity, he said, was caused by the high price of our agricultural produce in that year. Here, clearly, he was confounding causes and effects. So, then, the exclusive monopoly of the continental markets, which we enjoyed in that year, had nothing to do with adding to our prosperity. But if the gentleman would inquire, he would find it was that monopoly which enabled us to bear the very high price to which agricultural produce had been raised.—The hon. gentleman, after some allusions to the difference of our currency in 1813 compared with the present time, concluded by expressing a hope, that a full and impartial inquiry into our restrictive system would shortly be entered into. If we removed those retrictions, we should set an example to other nations, which would be as readily followed as our very opposite and injurious policy of imposing them had been.

Lord *Stanley* bore testimony to the respectability of the petitioners. He hoped that their liberal and enlightened views on the subject of our commercial policy would be acted upon. Whenever any such measure should be brought forward, he would give it every support in his power.

Ordered to lie on the table.

Criminal Law.] Sir *J. Mackintosh* obtained leave to bring in a bill to repeal so much of the 39th Elizabeth, the 21st James 1st, the 4th and 9th George 1st, and the 5th, 6th, 8th, 26th, and 27th of George 2nd, as enacted capital punishments on crimes specified therein. Also a bill to repeal so much of the 1st and 2nd of Philip and Mary, the 18th Charles 2nd, the 9th George 1st, and the 12th George 2nd, chap. 29, as enacted capital punishments on the commission of certain offences specified therein.—The hon. and learned member then said, that he had on a former occasion given notice of a bill to consolidate the laws on forgery; he would now, with the leave of the House, withdraw that notice, and move for leave to bring in a bill "for mitigating the severity of punishment in certain cases of forgery and the crimes connected therewith; and also for more effectually detecting the forgery of notes or bills of the Bank of England."—The notice was withdrawn, and leave given to bring in the bill. The hon. and learned member then brought in the bill, which, with the two already mentioned, were read a first time.

Grampound Disfranchisement Bill.] Lord J. Russell moved, that the order of the day for the second reading of the Grampound Disfranchisement bill be now read; which having been done, his lordship moved, "that the resolutions of that House, of the 5th of July last, be read." The clerk read the resolutions, as follow:—

"Resolved, *nem. con.* That it appears to this House that such a notorious system of corruption has prevailed in the borough of Grampound as to call for the serious consideration of this House.—That this House will take the same into consideration early in the next session of parliament." His lordship next moved, "That the order made on the 16th of December last, relative to the borough of Grampound, be now read." The order was read as follows:—"Bill to exclude the borough of Grampound from sending burgesses to parliament, and to enable the borough of Leeds to send two burgesses to parliament, in lieu thereof.

Ordered to be brought in by lord J. Russell and Mr. Tierney."

Lord *J. Russell* then said, that he felt it necessary, in this stage of the bill which he had been instructed to bring forward, to state briefly the result of the examination which had induced the House to come to the resolutions that had just been read. Those who were in the late parliament would recollect, that a petition had been presented against the return of the members for the borough of Grampound, and that the committee to whom the petition was referred had made a report imputing gross corruption to many of the electors in that borough, and the result was, that the law officers of the Crown were ordered to institute prosecutions against those electors. Subsequently, copies of the indictments on which 23 of the voters of Grampound had been found guilty were laid before the House, together with other documents connected with the election. On these grounds he moved that the House should go into a committee on the abuse of the elective franchise in Grampound. That proposition was immediately assented to by the noble lord opposite, and the committee was appointed. On proceeding with the inquiry, it was clearly proved, by the evidence of Mr. Teed, that instructions had been given by sir Manasseh Lopez to distribute sums of money to the electors of Grampound, so as to secure a majority of them. It was also proved, by an individual who belonged to Grampound, that he had seen sir M. Lopez on this subject; and that he had informed him of his having collected together a number of voters who were ready to receive his money, and in return to give him their votes. That number, it appeared, was objected to by the agent of sir Manasseh, because it did not comprise a majority of the electors. The witness stated, that a number, constituting a majority, was afterwards collected, and that each of the parties received thirty-five pounds as the price of his vote, a sum with which several of them expressed themselves dissatisfied. It further appeared, that in consequence of this dissatisfaction they gave their votes in favour of other persons. It seemed, that one of the electors had got a list, containing the names of 62 persons who had the right to vote, and of whom 58 had voted; of these 58 no less than 47 had the sum of 35*l.* affixed to their names as the price of their suffrages. On exhibiting this list to sir Manasseh Lopez, he allowed to Mr. Teed, into whose hands it had fallen, that it was pretty correct. On this, Mr. Teed indicted 34 of the corrupt parties, out of whom 24 were convicted. Some of the others he did not prosecute on account of the insufficiency of evidence, and a still greater number on account of their poverty. It also clearly appeared in evidence, that at various times sums of money had been expended in this borough to influence the return of members to parliament. It was proved that one person had attended at a meeting of delegates from Grampound, at which it was agreed that 5,000*l.* should be given for the return. Another individual, an attorney at Grampound, stated, that the sum of 8,400*l.* was set down in a bill, as the regular sum to be paid for seats to represent that borough;—that these transactions had taken place at different times—that they passed as common ordinary events at Grampound—and that they excited neither fear nor shame amongst the corrupt voters of that borough. So far the evidence went; but the common fame and notoriety of these transactions made the case still stronger. It appeared that it was a common saying with the electors, that "they wished to be feeding again;" the meaning of which was, that they desired to be paid beforehand. One of the aldermen stated that almost every elector, at each general election, was in the habit of receiving bribes; this witness was asked, whether he did not think that there might have been two or three in the borough who had not received bribes, and his answer was, that there might have been two or three who had not. Now, he conceived that these circumstances, taken altogether, formed a body of evidence as strong and decided as was ever adduced on any similar case. There was, however, one other circumstance which he wished to mention to the House—namely, that the two members petitioned against in the late parliament had paid 7,800*l.* to the petitioners not to persist in the prosecution of their petition. Thus they found that the great majority of the electors of Grampound had received money from sir M. Lopez, and that many of them were convicted in courts of law. Sums of money, fluctuating from 5,000*l.* to 8,000*l.*, had been paid for seats for that borough; and it was commonly and notoriously allowed by the electors themselves, that they were in the habit of receiving bribes. One individual, when he wished to have the bribery oath administered, was so maltreated by the other electors, that he could scarcely escape with his life. Having stated these indisputable facts, he conceived the case he had made was sufficiently strong to justify that House in disfranchising the borough of Grampound.

The next point to be considered was, what measure the House would be pleased to adopt; and he thought they would be greatly assisted in that inquiry, if they looked back for precedents to what had been done in other days. It was not to be expected, in a constitution like ours, when the right to vote had been extended to small places, the inhabitants of which were frequently very poor, that the introduction of bribery and corruption could be wholly avoided. But it would be seen that, of late years, corrupt practices had made rapid strides indeed. In the reign of Queen Elizabeth a person had been fined for giving 4*l.* to the returning officer to procure his return. In the reign of Charles 2nd, lord Shaftesbury stated, that no less a sum than 7,000*l.* was paid by persons who were returned for two seats in that House. But the Revolution followed, and soon after that memorable event, bills were introduced and laws were passed against bribery and corruption; but unhappily those laws did not prove sufficiently strong to resist the influence of those vices—the odious practice of bribery gained ground, and in the year 1771 such a case was brought before the House of Commons, as rendered it necessary to adopt another and a different remedy. The returning officer for the borough of New Shoreham sent an individual to that House, who had not received the greater number of suffrages; and, when asked why he had done so, he disclosed a scene of cupidity, perjury, and corruption, such as could scarcely be imagined to have existed. He stated that he belonged to a society called "The Christian Club," whose Christian practice it was, to get into their assembly a majority of the electors, and then to sell their votes to the highest bidder. After having reprimanded the returning officer, the House thought it fit that a bill should be introduced to disable and incapacitate those persons who had abused their franchise from voting again. Their names were inserted in the bill, and the parties interested were allowed to be heard by counsel at the bar. After the bill had been read a second time, and sent to a committee, it was materially altered. The names of those who were to be incapacitated were left out, and, instead of taking the course originally intended, the freeholders of the neighbouring rape of Bramber were allowed to vote for New Shoreham. Mr. Montague, who afterwards detailed the history of the bill in that House, stated that he had introduced the new provision, having previously consulted lord Camden and the earl of Chatham. The former highly approved of the provision, and the latter said, "He was glad that New Shoreham had been removed from Bengal, and brought back to Sussex." They had therefore the authority of lord Camden, of the earl of Chatham, and of the parliament of that day, for the practice which was now recommended, and which formed the only point of innovation (if it might be so called) in the present bill. The parliament then acknowledged that the right of sending members to that House was a right and franchise that might be abused, and that such abuse could and ought to be rectified by placing the privilege in other hands. He said in other hands generally, as parliament pleased, because, if the freeholders in the rape of Bramber were not greater in number than those who possessed the right of voting in New Shoreham, and who were convicted of corrupt practices, the remedy proposed would be inefficient. The House, however, went farther on that occasion. They ultimately inserted the names of those persons who were to be disfranchised; and thus, those parties not having any right to vote, a predominating number of electors was found in the rape of Bramber. The next case was that of the borough of Cricklade, which occasioned the introduction of a bill in 1782. It affected 83 persons, who, out of 243, had been convicted of corrupt practices, besides 43 more who were indicted. The bill provided that that borough should be thrown into the neighbouring hundred. He did not recollect any thing remarkable about this bill, except that, at the time, the administration of the marquis of Rockingham had just come into power, and had continued lord Thurlow in the situation of lord high chancellor. When the bill was brought into the House of Lords, so many objections and difficulties were started by lord Thurlow, that lord Fortescue, who was then an old man, stood up and said, "I find I am not in the House of Peers, but in a court of justice—not an ordinary court of justice either, but one in which the lawyers endeavour to control the judges." He described lord Thurlow as "a man composed of subtilties and contradictions;" and farther observed, "that he could not bear to see such an administration disgraced by conduct of this kind."* He stated this merely as an historical fact, and he hoped the administration of this day would do honour to themselves, and conciliate the feelings of the people, by pursuing, in this instance, the course adopted by the administration to which he had alluded in sanctioning the bill relative to Cricklade. The next case was that of the borough of Aylesbury. Out of 400 voters, 87 were rejected, as improperly exercising the elective franchise, and 220 were proved to have participated in the bribery and corruption which had been practised there. Those persons were disfranchised.

He now came to consider what it was proper for that House to do with the borough of Grampound — whether to throw it into the neighbouring hundred, or give its franchise to some other place. In his opinion, the individuals from whom a petition had this day been presented on the subject were very little interested in the matter. Whether the borough were thrown into the hundred, or into the neighbouring hundreds, or the elective franchise were extended to the county, could be matter of little importance to them, because they constituted a very small minority, and therefore could possess but little influence in deciding the fate of an election. It would be impossible for them to have any weight in the election of members to serve in parliament, whether the House thought proper to throw the borough into the hundred, or to extend the right of voting to the freeholders of the county. Alas! the glory of Grampound was gone for ever! The electors would no more have the pleasure of seeing a baronet, out of pure motives of charity, sending confidential agents to relieve their distresses and minister to their wants. They would no more be delighted with the gratifing spectacle of the merchants of London contending to represent them. Never again would they have the satisfaction of almost murdering those who had the hardihood to propound the bribery-oath! The question then was, what appeared to be the best mode of proceeding which parliament could adopt? It was admitted on all hands that the freeholders of the hundred had no exclusive right to the representation of the borough. That right never belonged to them, and could only be extended to them by that House, as had been done in the case he had mentioned. It was a matter entirely resting with the House to declare whom they thought worthy of returning members to serve in parliament. It was for them to consider, generally, whether the privilege that had been abused by one set of persons, might not be safely and securely placed in other hands. If it were not extended to the freeholders of the hundred, those freeholders had no cause or reason to complain, since they had not any claim on the right so forfeited, more than others. There were some cases where it would certainly be expedient to throw the borough into the hundred. This, for instance, might be proper in a county which had only one borough, and, in which borough such practices prevailed. There it would be wise to throw it into the hundred. But this was not the case here. For, if the borough were not thrown into the neighbouring hundred of Poudrey, there would still remain places in the county that returned 10 other members, who could defend its general interests with zeal and effect. It appeared to him that there was a course much more fitting for the House to pursue, and much more consonant to the true spirit of the constitution, than that of throwing the borough of Grampound into the hundred of Poudrey. There had grown up, within the last 30 or 40 years, a number of towns, whose large population and extensive wealth placed them amongst the foremost of the great towns of this country—and they were at present debarred from the right of returning members to serve in parliament. Of these towns, five alone contained nearly 400,000 inhabitants. When they saw towns of such extent, so rich, and so abundantly peopled, without representatives in that House, could it be supposed that their ancestors, who allowed members for Wales, for Chester, for Durham, and other places comparatively insignificant, would, if those great towns had existed, in their times, have refused them the right of sending members to parliament? If, in the time of Charles 2nd, those towns had grown up to such importance, would they not have had members in that House? He thought it was a great public loss that they had not representatives; and he conceived that the House ought, as speedily as possible, to remedy that which he could not but consider a great defect. Those parts of the country which were unrepresented, were, in fact, afflicted by the same evils by which Wales had been afflicted when that part of the kingdom had not the privilege of sending members to parliament. If they looked to Bristol, Liverpool, and other great towns which sent members to that House, they would see none of those disorders which at present unhappily prevailed in the unrepresented towns throughout the country. Why, then, did not the legislature grant them representatives? If those towns were more respected—if the inhabitants were fairly represented, why not hope that angry political feelings would give place to sentiments of attachment to the constitution and of veneration for the laws? It might be said, that if those places were represented, their representatives would carry into the House their undigested notions of parliamentary reform; but they would naturally turn their eyes to that House, where their sentiments would be delivered—where their voice would be heard, instead of seeking their object by dangerous and illegal ways, which unhappily disturbed the peace and tranquillity of the country.

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* Parliamentary History, v. 22, p. 1387.

He knew not that he need trouble the House further, except to state and answer one or two objections that might be urged against the course he proposed. It had been observed, that, even if they disfranchise the small corrupt boroughs, there would still be as much corruption in the large towns to which the elective franchise was to be extended. He did not mean to deny that instances might be adduced in support of this opinion. He was, however, prepared to contend, that the more generally the right of voting was diffused, the less likelihood would there be of the growth of bribery and corruption in the larger towns. The principles even of the members of that House had changed. There had been times when many of the members would not have scrupled to receive large sums of money for their votes. That practice was now abolished—such a thing was no longer known—because the people were less open to bribery. He stated this, because it ought to be understood that all the defects of the system were not to be traced to that House, but were rather to be found in that abuse of the elective franchise which had prevailed in the country. In support of that view of the subject, he was happy to state that there appeared, in the late general election, several instances which showed that the feelings of the people, with respect to the exercise of the elective franchise, were very much improved. One or two of those instances he would mention. Some time ago a meeting had been held in a very populous part of the country, at which resolutions, binding the electors to return members from none but pure motives, were entered into. The resolutions passed at this meeting did great honour to the discretion as well as to the integrity of those who passed them. He was happy to perceive that this evil of corrupt influence was generally opposed. At Reading, resolutions were passed to prevent corrupt and illegal influence in that borough. The resolutions were to the effect that the people would use every exertion to discover and bring to punishment all, whether candidates or voters, who practised any illegal means of influencing the election of representatives. For this useful and honest purpose, 1,500*l.* had been collected in that borough. When he saw such a spirit prevalent—when he read such resolutions—and when he found such exertions displayed, he could not help entertaining a hope that much would be done in putting down corruption, and purifying the most important parts of our constitution, even without any measures in that House; but he hoped the House would also take measures for preventing corruption in the smaller boroughs, where the spirit and integrity of the people had no means of operating. He did not think that Grampound was a solitary instance of corruption and political abuse; but he certainly was not for any sweeping measure of reform. He was, however, anxious to punish and prevent corruption in small boroughs, and to extend to great towns and districts the rights and influence which constitutionally belonged to them. Measures of that tendency and character were more calculated than any other to tranquillize the minds and to brighten the prospects of the people. With respect to the particular measure under consideration, he understood that an honourable member, his honourable friend, he would say, the member for Northumberland, intended, if the bill came to be committed, to move that the East and North Ridings of Yorkshire should be substituted for Leeds. He differed on this point from his hon. friend, he thought that the town of Leeds, or some great town like it, ought to be allowed to possess the franchise; he thought they would be likely to exercise it with purity at the same time, he considered this to be a question of inferior importance; and should deem even the adoption of his hon. friend's proposition a most valuable benefit to the country. The noble lord concluded by moving that the bill be read a second time.

Lord *Castlereagh* said, that although he had no intention to oppose the second reading; he felt it due to the noble lord, and to the House, to offer some observations on the subject. Whatever steps might afterwards be taken, he thought this the convenient moment for making a few observations on the principles involved in the bill. He should endeavour to imitate the noble lord, who had in the most candid and fair manner stated his views of the question, and the object he proposed to himself in this bill; and if he could not agree entirely with the noble lord, it would be from a different view taken by him of the local circumstances of the borough of Grampound. As far as the principle of the measure was concerned, so far as it was opened by the noble lord, there was no difference of opinion between them. That was, he agreed with the noble lord, that where it was proved satisfactorily that persons having an elective franchise had abused that trust, measures should be taken to protect the security of election and purity of election against the repetition of such abuse. Any difference of opinion arose not from any alterations proposed to be made in the elective franchise in Grampound, because, after the election committee had made their report, he had concurred in promoting further inquiry, and after that inquiry he had concurred in a resolution which stood on their records without a dissentient voice—that further measures were called for by the corruption detected in the borough of Grampound. Up to this point he and the noble lord understood each other, and agreed in opinion. They agreed that the borough of Grampound had misconducted itself, and that an adequate remedy ought to be applied. Therefore the question was not whether a remedy should be applied, but what the nature of that remedy should be. The noble lord had stated fairly tonight three instances in which the House had approved of the principle of this bill; so far as to have opened boroughs in which corruption had been proved to exist, to the adjacent hundreds or country: The boroughs of New Shoreham, Cricklade, and Aylesbury, had been so treated. The noble lord had then proceeded to show, that it was not expedient to act in the present case in the same manner, but that the House, in sound and salutary discretion, ought to depart from those precedents, to leave the uncorrupted voters to have votes in the county, and to transfer the franchise to a populace place not represented at present. The member for Northumberland was stated by the noble lord to differ from him as to the course to be adopted, and to wish to transfer the franchise, not to the place proposed by the noble lord, but to two ridings of Yorkshire. He would now very shortly state the opinions he entertained on the question. The difference he felt arose from the fundamental difference of their opinion upon parliamentary reform, which he considered fair to state to the noble lord and to the House. The noble lord wished to establish by this bill, *pro tanto*; the principle of parliamentary reform which he espoused. He (lord Castlereagh) did not look upon the measure in that point of view; he only viewed it as a measure to correct corruption in Grampound. He was not influenced by regard to a change in the representation, but by what was expedient to apply to this case of abuse of the elective franchise. In fixing upon the remedy to be applied, it was proper, in a prudential point of view, to fix upon that remedy which appeared likely to succeed, and to be carried into effect. In short, it was prudent and right to consider what remedy would be effectual for the object in view, and to select that remedy for legislative application. The noble lord looked at Grampound as supplying an opportunity for improving the representation. He (lord Castlereagh) looked at the representation only in its practical effects, not at its theoretical composition. He looked only at the evil, and at the remedy to be applied to that evil; but he did not look at it as carrying any theory entertained respecting reform. Let the proposition of reform come before them on its own peculiar merits; but the question now before them he met on its own ground, not on the general grounds that might be connected with it. On a former occasion, when the noble lord had proposed a measure of this nature, he (lord Castlereagh) had admitted distinctly that the local circumstances of Cornwall might afford reason for dealing with boroughs in that county convicted of corruption, not as was usual with the House in such cases, but for transferring the abused franchise to some other part of the kingdom; but he had distinctly stated then, that he had not such local knowledge of Grampound as to say whether that consideration was applicable to it. The noble lord would recollect that he (lord Castlereagh) had reserved that question, as to Grampound being so situated as to make it inexpedient to open it to the neighbouring hundreds. The case, as to the inexpediency of opening the franchise to the neighbourhood instead of transferring it, did not appear to him to have been clearly made out. When the case of Penrhyn was before parliament, no reasons were urged for transferring the franchise from Cornwall; but that bill was lost, and this was now the first question in which the expediency or inexpediency of such a transfer came to be considered. No case had been opened, of any inexpediency arising from the particular district in which Grampound was situated. The noble lord had stated the number of boroughs in Cornwall as a reason; but, if that were conclusive reasoning, it was not at all consistent with the principle hitherto acted upon. Although there were a great number of boroughs in Cornwall—21 he believed—Wiltshire and Sussex, if their comparative extent were considered, had respectively not a much less considerable number of boroughs. Wiltshire had 16 boroughs; Sussex 13. That was a greater number, considering the extent and circumstances of each county, than Cornwall had.—[Mr. Tierney expressed his dissent across the table.]—Very well; if that particular view of the argument did not apply, still the number of boroughs in each of the two counties he had mentioned required a transfer, if the number of boroughs in Cornwall required it. Yet Cricklade, in Wiltshire, had been opened to the surrounding hundreds, and New Shoreham in Sussex, had been opened in a similar manner. If they supposed Penrhyn brought again before the House, the views of the hon. member who had introduced a bill upon that subject before, would only go to the same point, and give in Cornwall an instance to the same effect, for the franchise would only be carried to the neighbouring hundreds. In the case of Cricklade, too, there had been the objection of embracing, in the district to which the franchise was extended, two boroughs—Malmesbury and Wootton-Basset. As far, therefore, as the practice of parliament went, or the reason of the thing, there was no insuperable difficulty to extending the franchise to the hundred of Poudrey, and two or three other hundreds. The noble lord did not contend that this extension would not be an adequate remedy, but generally preferred the other mode, because it was calculated to give representation to a part now unrepresented. Yet, even if the two modes came to be equally balanced, the noble lord ought to prefer that which had the greatest prospect of effecting the object desired. It was not for him to mention the difficulties that might be presented elsewhere to the particular mode proposed. They were aware of the mode of proof adopted in the other House. But certainly they had three cases in which the other House of Parliament had concurred with that House in correcting abuses of the elective franchise. It was not for him to say that that was the only mode in which the other House would concur, but they would proceed on infinitely safer and surer ground, if they adopted what parliament had given countenance to, than if they travelled out of that ground, for the purpose of establishing the principle of parliamentary reform, and in contradiction to all the precedents now before them. If, by extending the franchise to Poudrey and the other hundreds, a second enlargement of representation could be shown to be the necessary consequence of the number of boroughs that might be a good reason for departing from the precedents before them. If this were the second borough convicted of corruption in the district, that would be good ground for sending up to the Lords such a bill as the present, for the departure from precedents could then be represented as arising, not from the much-litigated and difficult question of reform in parliament, but from circumstances of local necessity. Even if it could be shown to be the second borough proved to have become corrupt in the county, that would not establish the same necessity; but it might, as a matter of expediency, form an additional objection to the opening a second borough in the same county. The noble lord had deliberately and distinctly desired the House to depart from the constant uniform practice of parliament, and, in the case of Grampound, to proceed voluntarily and of choice, to transfer the franchise to another place. He did not concur with the noble lord in this. He preferred local and district reform, if any abuse or corruption were proved, when there appeared no necessity for adopting a different mode of remedying the evil. Whatever wish the noble lord might have for establishing a principle of general reform, he must have a still greater wish for reforming Grampound. Therefore, as there were greater facilities in the one mode than in the other, he thought this was a strong appeal to the noble lord on prudential considerations, for pressing the measure on the other House with all the weight of precedents, rather than presenting it on this novel ground, and against all precedents, and calling upon them to recognize a principle of parliamentary reform—a subject not only litigated, but regarded by all persons of weight and property in this country, with very different views. The noble lord had not merely presented this proposition to the House; he had not only proposed to disfranchise Grampound, and to enfranchise Leeds; but supported the proposition by reasons on the face of the bill which were inadmissible. The preamble set forth—"Whereas the borough of Leeds, in the county of York, having of late years become a place of great trade, population, and wealth; it is expedient that it should have two burgesses to serve in parliament," &c. It was impossible that the House or that he should concur with the proposition of transfer upon such grounds. It was impossible that they could admit that Leeds was destitute of representation, and possessed what this bill would recognize as the criterion of representation. This was not only a novel principle, but it was going back to a ground of that principle, to which it was impossible he could give his concurrence. If this principle were once recognised by parliament, it would afford ground for application from every place of trade, population, and wealth, to have additional representatives. But if he could agree to the principle of transfer in this case, he should be very far from agreeing to it or recognising it, as it appeared on the face of that bill. He would never agree to transfer the franchise to a large populous town in the form and mode of scot and lot payers having votes, so that an assessment of *5l.*, as he understood it, would entitle to a vote. This would give in the town of Leeds 8,000 or 10,000 constituents. But he would not go into detail on this argument. But, if he were driven to the necessity of a transfer, he would not agree to transfer to that place; and to that mode he had the greatest objection. He should have less objection to the proposition of the other member, to transfer the franchise to the two Ridings of Yorkshire. There had been various modifications of the elective franchise. It had been unconnected; or combined, as in the Scotch burghs; but there was no instance of the right being created by parliament. It was either a right of common law, or it was a royal grant. In the Scotch Union several towns were combined, and others were excluded; but this bill opened quite a new principle, and went to create a franchise by act of parliament. He did not contend that under no circumstances ought such a measure to be resorted to; but in travelling into new circumstances, in travelling into new matter, in departing from what had the sanction of experience and constitutional principle, the measure which was desired and agreed upon would be exposed to risk that ought in prudence to be avoided. The borough of Grampound would be effectually and satisfactorily reformed by such a measure as had been applied to the three cases before alluded to; and they had the authority of those three cases to support a similar one now. He therefore pressed upon the consideration of the noble lord that it was running great risk, and unnecessary risk, to hazard the reform of Grampound, by travelling out of the cases already recognized, and introducing a principle that would not only be denied, but be most strenuously opposed. As no borough in Cornwall had yet been thrown open to the hundred, he should, in the committee, propose that extension in the case of Grampound; and if hereafter there should arise another case of the same nature in that district, there would be a claim for a transfer to some other place. He had thought it right to take this opportunity of making these observations on the subject, but he would give no opposition to the second reading.

Mr. *Tierney* said, he heard with some surprise and great sorrow, the speech of the noble lord. When the resolutions were brought forward by his noble friend, containing a declaration of the principle on which the House would act in case of boroughs convicted of corrupt practices, viz. by transferring the right of election to populous towns, the noble lord had undoubtedly objected to the declaration of such a general principle; but he (Mr. T.) had understood the noble lord to say, that if his noble friend would confine himself to the particular case of Grampound, he should not be adverse to that mode of proceeding: and he was confirmed in his opinion, that such was the impression produced by the words of the noble lord, by a recollection of the eagerness with which he (Mr. T.) had urged his noble friend to close with the proposition of the noble lord, and to accept of a certain advantage rather than endeavour in vain to get more.

Lord *Castlereagh* said, he felt it to be due to the right hon. gentleman to prevent his reasoning on a misapprehension, by reminding him that he had distinctly reserved his opinion, on the ground that he was not acquainted with the local circumstances of Grampound.

Mr. *Tierney* continued.—He certainly had understood the noble lord at first to agree to his noble friend's proposition. In two or three days, however, the noble lord came down, and in a more guarded manner reserved to himself the right of subsequently expressing it as his opinion that the proposed reform should be of a more gradual kind—that the elective franchise should be given to some of the hundreds in the vicinity of Grampound. The ground of this was, that the innocent might not be punished with the guilty. What he had wished, and he believed this was the wish and the hope of many others and a very large portion too, in the country, was, that a measure, which, at the moment it was known seemed to give general satisfaction, should be carried into effect. It would be useless to deny, that at the moment this proposition was introduced, and was supposed to have received the sanction of government, it excited a very general feeling of satisfaction amongst even those who were by no means favourable to the question of a reform in parliament. They were gratified at the disposition evinced to correct an abuse which was so flagrant. The violent parliamentary reformers, indeed, felt otherwise; but those sound and rational reformers who thought it necessary to conform themselves to the feelings of the times in which they lived—who thought it not a mark of wisdom to set up any mind, however powerful, against the temper of men and the current of events, hailed the declaration as the forerunner of an improvement in a small degree (for very small he admitted it was) of the state of the representation, but as in a great degree showing the opinion of the House of Commons in favour of improvement, when a favourable opportunity occurred. It was expected by those, and by every moderate man in the country, that the opportunity which the gross corruption of Grampound presented would be taken, to do something in the correction of a flagrant abuse; that a disposition would be evinced to suit the measures of that House to the circumstances of the times, even if it were only to show that, where a very strong case of abuse was made out, something would be attempted to correct it. These hopes, however, must now be at an end, and instead of the wholesome correction which was first suggested, and, as he then thought, agreed to, they were given to understand by the noble lord that the only remedy would be, the extension of the franchise to some of the neighbouring hundreds. He felt satisfied that if the noble lord had consulted his own good judgment, and not attended to the conversation of others he would not have adopted this new plan, and the House would have heard nothing of this consideration for the neighbouring hundreds. "But," said the noble lord, "there are precedents, and for God's sake do let us keep to precedents on this question." He (Mr. Tierney) remembered the precedents to which the noble lord alluded, and he looked upon them as much innovations in their day as the proposition of his noble friend could be considered in the present. He denied that there was any strict analogy between the cases which could justify the House in acting upon them; neither would he admit that the House of Commons should be governed, in debate at least by, what might be the feeling in the other House. The House of Commons were bound to do their duty strictly and conscientiously to the country, without any reference to what might be thought elsewhere; and the other House, he supposed, would do what they considered to be theirs. But to say that he should not do his duty because it might not be satisfactory in another place, was a principle which would destroy the possibility of that House being useful. The noble lord told them that they were here doing what would let in on them the principle of parliamentary reform. He (Mr. T.) would not disguise the fact, that this was its great recommendation—that it was a recognition on the part of the House, that when a favourable opportunity occurred to amend the state of the representation, the House would take advantage of it to amend it. That favourable opportunity was the disfranchisement of the borough of Grampound. This, he maintained, was the true principle on which they were bound to act, but to this they would owe the opposition to the present measure. Now the situation in which the House stood was this—by the gross corruptions of one portion of electors, the old number of the members was reduced from 658 to 656. The question then was, whether the House should remain limited to that number or increase it to its former amount. His opinion was, that the old number should be kept up; but he wished before that was done to look about him, and see how it might best be accomplished. Should this number be filled by the same borough? That was admitted in the negative; but then it was said it should be from the two hundreds in the vicinity of the borough. Now, he contended, that from the moment it was agreed to disfranchise Grampound, the neighbouring hundreds had no more a claim to that franchise than the people of Canada. Then, after Grampound was disfranchised the first thing, in his opinion, which the House had to do was, to see in what way the vacancy thus created could be best filled up. As to resorting to the plan adopted on former occasions, he would say, and there was no man of common sense in the country would deny, that what might have been fit at first might, by change of circumstances, become the reverse afterwards. There had, he should say within the last fifty years, he would not go farther back, been a great shifting of property, and many fluctuations of trade in the country, and this shifting and those fluctuations, had thrown a vast population into particular places. There was no man bold enough to affirm that time had not operated great changes, and in some cases, very prejudicial ones in the representation; that what had been prudent and wholesome in its original formation, had in the lapse of time become imprudent and unwholesome; that the great shifting of property by the fluctuation of trade, had reduced to insignificance towns which had been formerly prosperous, and thrown wealth into other parts of the kingdom. He would ask whether the power which once existed in the Crown of settling the places by which members should be returned to parliament were now in existence, Grampound was the place which would be chosen in preference to Leeds? Ought the House of Commons (or to speak in the terms of former times), ought the Crown to issue its royal charter to Grampound, to the exclusion of such a place as Leeds? These were points which should be considered in discussing the present question, which question he conceived to be strictly this—"We have now two members to bestow to the country: what place wants them most, and where can they be placed with least inconvenience, and with most benefit to the country under its present circumstances?" This was the exact state of the question before the House, and he conceived it ought not to be decided in any manner with reference to the present circumstances and the present feeling of the country? What was the ground of the great clamour about reform in the country? He (though friendly as he always would be, to a wholesome reform in that House) used the word "clamour" as most applicable to the manner in which the question was agitated in several parts of the country. What, he asked, was the ground of this clamour? Why, that several large classes of the population remained unrepresented, and so they must be from those fluctuations to which he had before alluded; and that when such an opportunity as the present occurred, no attempt was made to apply a remedy. "But," said the noble lord, "there is a remedy:" and what was that remedy? That the franchise should be extended to the neighbouring hundreds! Why this would be only giving two votes to a certain portion of the people in those hundreds, while it left the large and populous towns in their former unrepresented state. Why not give it to some one of those large towns which had no representatives? Suppose Liverpool, which was represented by the right hon. gentleman opposite—suppose that place had been in the same state as Manchester and Leeds now were, would it not be considered a hard case that it should be unrepresented while Grampound sent two members to parliament; and (considering that it was the larger place), if it were now unrepresented, he would give it a preference to Leeds; but the same argument would apply with greater force, when Leeds was compared with Grampound. He could see no one objection to giving the preference to Leeds except this—and whatever might be avowed, he believed it to be the main objection—that the House would sanction no proposition which might, in any shape or way, tend to a reform in parliament [Hear, hear!]; and this it was which operated in another place. The very mention of reform it was which dismayed some gentlemen; but, he would ask, could they remain still while all the world was in motion; and could they hope to weather the storm which was blowing around them, without feeling any of its effects? If the noble lord thought that no motion savouring of a reform in that House should be sanctioned, let him introduce a resolution to that effect; but if he did not wish to go so far, let him not use the argument against the motion of his noble friend. There were men, and they were by no means few in number—men of rank, of property—men who had the interests of the country sincerely at heart—who thought in their consciences that some reform ought to take place—who conceived that the country would be materially benefitted by reform; and knowing how prevalent was this feeling, most particularly without, he was not prepared to hear the question met as it had been. He rather expected that the question would turn upon the point whether it would be better to transfer the franchise to some imperfectly represented county, or to give it to a large town, but he did not think it would be contended that it should not be transferred at all. With respect to what had been said of giving this franchise, in addition, to a particular county, he thought this was a battle as against the proposition of his noble friend, which would not be worth fighting. In either case some good would be effected: but the noble lord was for taking the bill into the committee, and there getting rid of its principle altogether. One objection urged against the bill was the danger of giving the franchise to large districts where votes would accrue from houses of a rental as low as five pounds; but this was answered by the fact that we already had such places in the country, where votes arose from similar possessions, and yet no inconvenience was found to result from it, except that could be so called which must result from all popular elections, and which had been described as one of the good effects of our system—that these large assemblages served as so many vents to popular feeling, which, if repressed, might be dangerous. Instead of limiting the elective franchise to small places, his wish would be that charters were granted to Leeds, and to such other great towns. It would be productive of considerable advantage, and of increased tranquillity in the country. He would mention the name of one large town—Manchester; and he declared it to be his firm conviction that if that town were allowed to send two representatives to parliament, and to have its internal management directed by sound and wholesome municipal officers, it would soon be as quiet and as tranquil as any other town in the country. There were some men, he knew, who treated such an opinion with contempt. He could not help it; but, from all he had heard and seen, such was his firm opinion; and on that ground he should wish to see Manchester represented. He did not say that Manchester should now be preferred to Leeds—it might perhaps be thought awkward after what had happened, but no such objection could lie with respect to Leeds. As to which side of the House might gain by giving representatives to Leeds, he would not say any thing. He did not at all look to this proposition with a view to party advantages, for if Leeds had the right of returning two members, after all that had been said, the party to which he belonged would think themselves extremely well off if they could get one of them. He had made these observations, in favour of the principle of the bill; they were his conscientious opinions; and he did conceive that the passing of the measure would give very general satisfaction to the country. It was, therefore, with much regret that he heard the suggestion of the noble lord, which would, if attended to, be to get rid of the whole of the expected advantage, to throw the entire benefit away. There was, he believed, no class of men in the country, who would be so much displeased with his noble friend's plan, as the intemperate reformers, for it would take from them their great ground of complaint and objection. That ground was—" Depend upon it the House of Commons will never right itself." But though it might not satisfy that class of persons, there was another—a large and most respectable class—who would hail the measure with joy, and receive it with gratitude. He meant that great and respectable body who composed the middle classes. They were the description of persons to whose opinions the House ought to attach the utmost weight. These individuals would be highly gratified at the passing of the bill, because it would prove to them, and to all the country that the House of Commons were determined to remedy an abuse when pointed out to them. But it was useless for him to say a word more on the subject. After the speech of the noble lord he despaired of any thing being done in it. That speech had given the bill its death blow, Cornwall would have its 45 members as before, and the hundred with the hard name would be let into the representation. One thing, however, he was glad of, that the second reading of the bill was not refused; but he was sure the country would feel very much disappointed when they found tomorrow how it had been treated. He said he was glad that the second reading was allowed, and that the committee would go over the holidays, by which time he and his hon. friends who had not expected the present objection, would be better prepared to meet it. He hoped also that, in the interim, gentlemen on the opposite side would give the subject a more serious consideration. He hoped they would calmly and dispassionately weigh the merits of the question; and inquire of their friends, and ask themselves where could be the danger in transferring the right of election to the town of Leeds or to the county of York, from the disfranchised borough.

Mr. *Wynn* observed, that after the gross corruption which had been proved to exist in Grampound, he was glad there was no difference of opinion in the House as to the necessity of some remedy, and he hoped that the present parliament would be disposed to treat this subject as the last parliament had been. He could not agree in the principle laid down by the noble lord opposite, that this case was exactly like those three in which former parliaments had interfered; but even if it were the same, that did not preclude this parliament from applying a different remedy, for if a better one presented itself, they were bound to adopt it. In all the other cases, however, the great majority of the electors had not been proved to be corrupt: and it was at that time argued, " Will you, by transferring the franchise, allow the whole to suffer for the guilt of a part?" and he thought it a fair objection to a transfer of the franchise. The parliament then acted upon the principle of " an infusion of purer blood being thrown in." He did not remember the exact numbers, but in the cases of New Shoreham, Cricklade, and Aylesbury, there were a great number of unconvicted voters. The case of Grampound was different; the sound electors were so few, that the borough might be altogether disfranchised without injustice; though he should not object to any plan to allow the voters who had not been convicted to vote at some other election. If there were grounds for taking away the franchise from Grampound, he could see no reason why it should be given to the two hundreds in the vicinity, more than to any other part of the country; and, looking at the whole case, he thought it was one where the House should transfer, and not extend, the franchise. In the last parliament bribery had been found to exist in the boroughs of Barnstaple and Penryn, but in those cases the large proportion of the electors were not proved to have been corrupted. In those cases therefore there was a good ground for not transferring the franchise, but it was not so in the present. He fully agreed that this question ought not to be viewed as a measure of general reform; but still it was proved that corruption had been carried to a great extent, and with such proof the House were bound to reform it. As to the suggestion of making the transfer to the county of York, he thought it well founded. Looking at the vast extent of that county—its immense population—the great number of freeholders, and the difficulty of bringing them all to any one place to vote within the time allowed for the duration of a poll; looking at those circumstances, he thought that a great evil would be remedied by transferring the franchise from Grampound to that county. He should therefore be willing to adopt that proposition, and have the county divided for the purpose of that election—the north and east ridings sending two members to parliament, and the west-riding two more; and thus not to confer a double right of voting to any of the ridings. One disadvantage of the extension of the franchise to the hundreds would be, that of giving two votes to a person who perhaps held only a freehold of 40*s*. This was the case in the extension of the franchise from the borough of Cricklade to the neighbouring hundreds. Thus the 40*s*. freeholders in the borough of Wootton-Basset, which was in one of those hundreds, had, a vote for two members of parliament for Cricklade, a vote for two members for Wooton-Basset, and a vote for the two members for the county. The case was much stronger against throwing the right of voting into the hundred in which Grampound stood, in which were five boroughs. This was, he considered, an evil, and should be avoided. The cases which were cited, he had said, were different from the present, and he thought that each should be considered on its own grounds. The House had now a borough at its disposal, and he conceived that they would not be acting with justice, if they gave the franchise to those who possessed it already. He would therefore rather vote for the plan which went to extend the franchise to the county of York than that proposed by the noble lord in favour of Leeds but if there were not a sufficient number in favour of the former, he would rather embrace the latter than adopt the suggestion which had been thrown out by the noble lord opposite.

Mr. *Sumner* fully concurred in the arguments of the noble lord, and of those gentlemen who supported the bill. He thought that such a measure was absolutely necessary at present. In reply to the clamour which was so much heard out of doors, it had often been said, "Show us the particular evil or imperfection of which you complain, and see whether we will not apply a remedy." Now Grampound was this case: here was an evil admitted on all hands to exist; and he conceived that they would be giving but too just a ground for some of the charges which were made (he thought unjustly) against them, if they did not deal with the present case as it deserved. He had been apprehensive that, as this offence had been committed against the last parliament, it could not be well taken up in the present. He was glad to see his doubts removed on this point, and he thought the House were indebted to the noble lord for having brought it forward. All seemed to agree that some interference should take place, but they differed as to what the remedy should be. He certainly viewed the suggestion of the hon. member for Northumberland as preferable to the plan of the noble mover; because he was now, as he had always been, a decided advocate for the doctrine, that the principle of representation should rest upon the principle of property, and not upon that of population, as the modern reformers so clamorously contended. But he hoped that this was not the only case in which the transfer of the elective franchise would take place, and that the corruption of the borough of Penryn would also produce a similar result. The corruption of Penryn was as flagrant as that of Grampound: he trusted, therefore, that some hon. member would take up that case also, and then he hoped that two representatives would be found for each of the ridings of Yorkshire.

Mr. *Beaumont*, in explanation of his proposition, stated, that the wish just expressed by the hon. member for Surrey was that which he contemplated, namely, that in order to give Yorkshire its due share in the representation, there should be two members for the West Riding, instead of those now returned for Grampound; and that upon the next proved case of delinquency in any other borough there should be two members also for the North and East Ridings. Hence a due share of influence in the representation would be given to the manufacturing and agricultural interests, for he had no desire to grant any undue ascendancy to either, and it was obvious that the two members for the West Riding would be returned by the manufacturing interest, while it was equally obvious that the members for the other Ridings would be returned by the agricultural or landed interest.

Mr. *Canning* said, that if the intended and avowed purpose of the bill had been merely to disfranchise the borough of Grampound, and if it had been left to be filled up in the committee by what mode the vacancy thus occasioned in the representation was to be supplied, he should not have expressed any opinion in the present stage of the measu ut this was avowedly a bill for crea the town of Leeds into a borough d that was therefore the point whic they were to discuss and to which their arguments were to be addressed. He had no difficulty whatever in saying that he agreed with the noble lord as to the necessity of some new measure respecting the representation of Grampound: he admitted that the borough must be disfranchised—that was, it must be deprived of the privilege of sending members to parliament. But the right hon. gentleman who had supported the bill, carried the consequences of this disfranchisement too far, for he thought that then there must be a total end of the rights of Grampound—that it must be considered as extinguished from that moment, and blotted out from the map of the representation. This, however, was not the case. The noble lord did not, it appeared, as some gentlemen seemed to suppose, desire altogether to extinguish the right of voting at Grampound, for according to the bill, the few surviving voters against whom no corruption was proved, were to be invested with a right of voting for the county of Cornwall. So that here was another point distinct from the disfranchisement of this borough, as well as that with respect to the transfer of the right of return to Leeds. The proposition to confer the right of voting for the county upon the surviving voters for Grampound, was certainly a proposition of a very novel character, to which he thought the House would be rather slow to accede, but the provision itself implied the noble lord's recognition of a claim on the part of a certain proportion of the present electors for Grampound, to retain the right of voting for the return of members to that House. This provision then, proposed by the noble lord himself, presented an additional reason, in conjunction with the other reasons which had been stated, for pursuing that course which, in former cases, had always been pursued, namely, overwhelming the surviving voters by an extension of their rights rather than by extinguishing them altogether. But supposing that the opinion of the House were favourable to a transfer, rather than to an extension of the right, he could have no doubt in saying which of the proposed modes of transfer he should prefer. He would undoubtedly of the two prefer the mode suggested by the hon. member for Northumberland, to that by which the noble lord proposed to create a new right in the borough of Leeds. And why would he do so? One of the grounds on which the right hon. gentleman opposite had recommended the transfer to Leeds was, that it would quell the wild doctrine of the reformers, who constantly clamoured about the futility of looking to that House for any amelioration of the representative system. Now the ground of these wild theories of reform was, that by diffusing very widely the elective franchise, the interests of the people would be more equally consulted than at present. If he looked at the preamble of the bill, he found this very principle recognised in these words:—"The borough of Leeds, in the county of York, having of late years become a place of great trade, population, and wealth, it is expedient that it should have two burgesses to serve in parliament." If he looked at the details of the bill, he found that a right of suffrage was to be granted, so wild and visionary as to go far beyond a great part of the present system of popular election. Many considerable towns in the kingdom had a right of representation, so much more limited than that which was here proposed, that if parliament were to give its opinion that this was the right principle of representation, namely, that persons who held a tenement of *5l.* per annum were after 6 months possession to be admitted to the rights of voters, so far from diffusing content, it must inevitably create discontent in many parts which were now tranquil. Parliament would by such a measure erect a standard of comparison, by referring to which the electors in many places would find their own right extremely limited. He was therefore happy to see, that on the second reading none of the hon. members who had delivered their opinions preferred the bill as it now stood to the other plan which had been proposed by the hon. member for Northumberland. With the exception of the noble lord himself, he believed there were none who did not prefer some other mode of disposing of the forfeited right of Grampound. He had already stated what he conceived to be the defects of the plan proposed by the noble lord, but there was between the noble lord and himself this farther difference of opinion.—He admitted the necessity of disfranchising Grampound, but regarded with jealousy the principle of reform, which the measure necessarily involved. The noble lord looked to the case as a God-send, that enabled him to introduce the principle of parliamentary reform. He (Mr. Canning) submitted to what of parliamentary reform there was in the measure as an evil which the necessity of the case imposed; the noble lord considered that evil as the best part of the measure, and gladly laid hold of the necessity of the case to promote the practical application of the principles of reform. And since there was this essential difference in their opinions, it was possible that the views of both, respecting the present measure, might be somewhat tinged with prejudice. He had stated why he could on no account agree to the annunciation contained in the preamble of this bill: such a proposition going forth to the world would amount to an admission which the House was by no means prepared to make, especially when connected with the declaration of the noble lord on a former occasion, that when other cases of a similar description arose they should be disposed of in a similar manner. He begged himself to be considered as wishing rather that, from the example of Grampound, other places should be deterred from similar corruption; he wished the present case to become a warning, not an example. He earnestly hoped that this case would be a beacon to other boroughs, warning them to take care that they did not render it imperative on the House to transfer their elective rights to other places. That was the view he had of the present case, and with that guard and that protestation he was willing to view the subject as candidly as any hon. member in that House. He could not agree with the noble lord as to the extent of representation which he wished to create. The House should lay down some principle by which they were to be regulated in future cases, and should beware of leaving the land without knowing when they were to reach it again. If he was obliged to make a reform, he wished to make it on principles already established, and to keep within the boundaries of the constitution; and if he found it necessary to make a transfer of rights, he would wish that transfer to be made as it had been made on former occasions. If, in the present case, there were no alternative but a transfer of the franchise of Grampound, he should prefer removing it to the county of York to the creation of a new right in the borough of Leeds, and that preference was founded on various grounds. The noble lord had told them that he himself had hesitated between two degrees of qualification, and had doubted whether 5*l.* or 10*l.* should be fixed as the amount. This being the case, others might just as reasonably doubt between 10*l.* and 15*l.*; and thus that new right might give rise to disputes, and to an endless complication of measures. On looking at the population lists, he found that in the year 1800 Leeds contained 53,000 inhabitants; in 1810 the population had increased to 62,000; and calculating on a similar increase for the last ten years, the present number of inhabitants might be estimated at 75,000 [lord John Russell said the population amounted to only 70,000]. Well, here was a population of 70,000 people; and supposing 35,000, one-half of the whole, to be females, and one-fourth of the remainder to be incapacitated by nonage and other causes, there would then remain 24,000 persons, of whom about 8,000, according to the noble lord's proposition, would be admissible to the elective franchise. Now this he (Mr. C.) conceived to be such an extension of the right of voting, in proportion to the number of the population, as could not be found elsewhere, and would unavoidably tend to create discontent, instead of allaying it. The town of Liverpool, for example, which he had the honour to represent, contained 100,000 inhabitants, but only 4,000 of these were electors; and surely they might complain if a borough of which the population was considerably less should have so many more electors. The measure of the noble lord therefore, instead of proving a source of contentment, would only furnish a standard of invidious comparison. For that reason he could not agree to it on any account; and if between the two modes he must choose, he should prefer removing the right of election to the county of York. But his reasons for preferring to either of these plans the course which had been pursued on former occasions, were strengthened by what he had heard in the course of the present debate. An hon. friend of his had stated, that in the case of Wootton-Basset the electors enjoyed a triple franchise, in consequence of the borough of Cricklade having been thrown into the hundred; and on account of this anomaly an objection was taken to the practice of extending the franchises of corrupt boroughs to the adjoining hundreds. Now, his noble friend had particularly guarded against the occurrence of such a case. He had stated that the diffusion of the franchise could take place only once in the same district, and that, when the neighbouring hundreds had received Grampound, they would be, as it were, saturated. He had laid it down as an admission, that if there was occasion to disfranchise another borough in the same district, a new case would arise, and on that case the House would be prepared to act. He apprehended the difference between him and his hon. friend was not so great as it seemed, for he admitted that a case might arise to call for the transfer of the elective right, but he did not wish to catch at the first instance that occurred. Since no other borough had as yet been thrown into this district, let Grampound be thrown into the adjoining hundred; and if, after that, a new borough should be disfranchised in the same district, a case of necessity would arise, and on it they might act accordingly. He was only for interposing delay in favour of precedent, and for doing to Grampound that which had been done in every case on the Statute-book. To this course there was at present no obstacle, either local, physical, or parliamentary; but if, after Grampound, another borough in the same district should be disfranchised, then a parliamentary and local difficulty would arise. His hon. friend would find that there was no difference between them as to their preferring the transfer of the elective franchise to a large county to the creation of a new right. But, let the House defer any acquiescence in the principles of what was called parliamentary reform as long as they could. Let them avoid change as much as possible, in order to save the country from the difficulties, the inconveniences, and the dangers that might be apprehended from it. Let them keep within the range and practice of the constitution until some difficulty should arise which might overmaster their reluctance to depart from it.

Mr. *Grenfell*, although decidedly averse to the wild theory of which so much had been lately said, and which was termed "parliamentary reform," had no hesitation in declaring his unqualified approbation of the bill, as far as it went to disfranchise the borough of Grampound; and that opinion he had stated the first moment the subject came before the House. The leaning of his mind was in favour of transferring the elective right either to the county of Cornwall or some other county. If, however, that were done on the principle of the noble lord, he apprehended they were likely to lose the object for which the transfer was made. He thought himself called on to notice what had been said by his hon. friend the member for Surrey respecting the borough of Penryn, which he now represented. When his hon. friend said that the corruption of Penryn was similar to that of Grampound, he surely could not have read the evidence which had been laid before the House. In Grampound the corruption had been general, and a great majority of the electors had been convicted of bribery; but he would ask whether there was any thing in the evidence on the table as to Penryn which could deserve that character? Out of upwards of three hundred voters, bribery had been proved only against eight. With respect to the inhabitants of Penryn, he believed them to be pretty much of the same character as those of every scot and lot borough in the kingdom. That there were individuals within that borough by no means capable of resisting a bribe he fully believed; but he had found the inhabitants, take them generally, a respectable and well-informed body of gentlemen and tradesmen, who would be as ready to restrict improper practices as his hon. friend could be; and if any gentleman should be disposed to follow up the measure attempted in the last parliament—the disfranchisement of Penryn—he should be ready to do justice to the inhabitants of that place, and to resist such a measure with his most determined powers.

Mr. *Davies Gilbert* bore testimony, from local and personal knowledge, to the respectability of the freeholders of the two hundreds to which it was proposed to extend the right of voting for the future representatives of Grampound, declaring that he had no doubt, upon such an arrangement, the members would be returned for that district upon as independent principles as for any county in England. He was a decided advocate for the principle of representation upon property rather than population; and he thought that the signal merit of the representation in that House was, that it did not amount to a direct delegation from the people; for it would be impossible for an assembly controlled by the mass of the people to be co-existent with any other branch of the constitution. The events of the few last years had sufficiently proved that such a power would speedily sweep away the aristocracy, would speedily overwhelm the monarchy itself. Sorry should he be to see the country placed under the dominion of an assembly ready to assent to any proposition, however wild and visionary, that might strike the fancy of its constituents. Well was he convinced that the evils which must result from such a system would go on increasing, until a military despotism became the only remedy which could effectually be applied to them. He did not mean to say that the simple transfer of the elective franchise from Grampound to Leeds would of itself produce the consequences which he had described; but he thought it the first step towards a new-fangled and dangerous system, and should therefore oppose it.

Sir *John Newport* was of opinion that the concluding observations of the hon. member who last spoke, were not called for by the subject under discussion. He thought that the House was bound to examine in what part of the country the greatest portion of the people ought to be represented; and he objected to throwing the borough of Grampound into the adjoining hundreds, upon the ground that the county of Cornwall was already more than sufficiently represented. It mattered little whether the members returned were chosen by the inhabitants of Grampound or by those of the adjacent hundreds; they were still members for the county of Cornwall, and would, in the execution of their parliamentary duties, look especially to the interests of that county. In the present case, an occasion offered for letting in a part of that large portion of the people who were insufficiently represented; and he thought that the House was bound to avail itself of the opportunity. In what quarter of the kingdom did the want of adequate representation more decidedly exist than in Yorkshire? The noble lord opposite had said that he did not consider amount of numbers and contribution in the way of taxation as affording a ground for superior representation. He was surprised at hearing such a proposition from the noble lord, when the noble lord himself in the case of the Union between Ireland and this country, had acted directly upon a contrary principle. Upon that occasion it had been matter of arrangement, in selecting those places which should be struck off and those which should be represented, that the numbers of the inhabitants, and the amount of contribution, should be especially considered; nay, he believed—if he was wrong the noble lord would correct him—but he believed that, there having been two particular places in which the numbers were equal, those places had drawn lots for the privilege of representation. He considered that principle as a wise and a just principle. It was a principle calculated to effect that species of reform which was most desirable; and the noble lord, in acting upon it, had been the greatest parliamentary reformer who had ever appeared in the country. He was sorry to find that the noble lord now proposed to act upon a contrary principle. He meant no censure upon that noble lord; he might have changed his opinion upon wise and sufficient grounds. In opposition to the hon. member for Liverpool, he (sir J. Newport) looked with favour upon the proposed measure, because it did savour of parliamentary reform; because it did coincide with the promise held out by the House, that, although they would not deal in general measures, yet, when a case should be made out before them, then they would act upon it. Why ought the House to do so? Because it was their duty, and they must feel it their duty, to correct those defects which time had allowed to creep into the established system.

Lord *Castlereagh*, in explanation, said, that he was under the necessity of pursuing the course in Ireland alluded to by the hon. baronet, in order to settle the competition between the different boroughs.

Mr. *Warre* observed, that it required no great sagacity to foresee that the fate of this bill would be like that of many other bills of a similar nature, upon which ministers had smiled in the first instance, but from which they had afterwards withdrawn their support. The noble lord opposite would take no measure in favour of parliamentary reform, unless driven to it by necessity. The noble lord would not agree to carry a single particle of elective franchise out of Cornwall, unless the county were so full that there was no longer room to put a member into it. He (Mr. Warre) was an enemy to all wild and sweeping plans of reform; but they who considered the present system of representation so all-wise and all-perfect as to admit of no improvement, erred in the other extreme, and he was anxious to avoid extremes of every kind. No one could deny that a general feeling did pervade the country that the House ought not to shut their ears against such an opportunity as that which now presented itself. What mode of alteration could be so fit, in the eye even of the most timid reformer, as a measure which applied but to one single place? In common with an hon. member who had spoken some time before him, and with many other gentlemen on the same side of the House, he could not forget the general satisfaction which had been manifested throughout the country at the manner in which this question had been originally met by ministers. They were applauded for having allowed the extent of the corruption, and it was in all societies a subject of congratulation. "At last," the world had said, "here is the thing fairly admitted by government; at last, the case is clearly made out; at last one Cornish borough will really be extinguished." He (Mr. Warre) was no wild or desperate reformer; but he trusted that the measure now proposed would be considered once more before it was rejected. He would support the measure upon its own independent merits, and he would also support the measure inasmuch as he deemed it absurd to contend that, because the House of Commons was constituted in a particular manner at the present moment, it therefore was impossible to amend or to improve it.

Mr. *William Smith* rose for the purpose of calling the attention of the noble lord opposite to a point which had been urged by his hon. friend the member for Waterford, and which the noble lord had not satisfactorily explained. In answer to his hon. friend's argument, founded on the course pursued by the noble lord at the period of the Union with Ireland, the noble lord had alleged that in that case he had been compelled to select. Some members were to be retained, others to be rejected; and population and taxation had been made the criterion; but, if that principle for selection was not the best that could be adopted, why did the noble lord then make choice of it? The noble lord had borne testimony to the soundness of that principle in a way which he would find it extremely difficult to get rid of. When he (Mr. William Smith) recollected that Cornwall at the present moment returned 44 members to that House, he could not but consider it highly objectionable that the elective privilege taken from Grampound should be retained within that county. He had heard it lamented by some gentlemen that the county of Cornwall, notwithstanding the number of its members, was inadequately represented, inasmuch as that the members returned to that House were not, in general, persons resident in, and connected with, the county. It certainly was matter for explanation how it happened, that the electors of Cornwall, instead of choosing persons interested in the county, thought fit to send all over England in search of representatives. Was not that single fact sufficient to prove that undue influence prevailed, and that elections in Cornwall were not always governed by proper motives? He could not help adverting to the observations which had been made by an hon. member on the other side. There could be little danger of members coming to that House delegated by the mass of the people, merely because the elective privilege was transferred from Grampound to Leeds. He apprehended that a householder paying scot and lot in the town of Leeds, and occupying a house of 5*l.* value, would be as well instructed, and as free from undue influence, as a 40*s.* freeholder in the county of York. If the question had been a question of universal suffrage—if it had been proposed to give the right of voting to the mob that met on Hunslet-moor, there might have been some ground for such an argument as that which the hon. member had employed.

Mr. *D. Gilbert* explained. He thought that the hon. member could want no assistance from any one to understand the nature of the Cornish boroughs, because, if he was not mistaken, the hon. gentleman had first entered that House as member for Grampound.

Mr. *W. Smith* allowed that he did, certainly, thirty years ago, represent a Cornish borough; and if he were to state the mode in which he had been returned for that borough, perhaps the manner of his election would not be sanctioned by the public approbation.

Mr. *Bathurst* thought that the question had not been placed in the true point of view. It was admitted that some measure was required in order to prevent the recurrence of those practices which had, up to a certain point, prevailed in the borough of Grampound. It was not necessary, however, for that purpose, that the borough should be disfranchised. The ordinary practice in such cases had been to admit a certain number of new voters, in order to control those already existing. The right hon. gentleman opposite said, "Here is a case in which you admit that Grampound is to be disfranchised. Grampound is to be struck out of the list of boroughs; and there are two members of the House to be disposed of." But the practice of the House upon similar occasions had been, to remedy the evil with the least possible infringement upon the rights of parties. The question was not whether the measure of the noble lord was or was not the best mode of disfranchising the borough of Grampound, but whether it was necessary to adopt that course at all. The three cases of precedent which had been alluded to must be in the memory of every one; in those cases the course the House pursued was, to provide a remedy with as little injury as possible to existing privileges; but there was another case to which he would advert. In the case of the borough of Helston, all the voters had been affected by the charge of corruption, as far as that charge went; for the members were proved to have paid all the poor-rates; and in that case it had been proposed by a brother of the noble lord to transfer the elective franchise of the borough to some great town in Yorkshire. The House, however, negatived that proposition; and threw the right of voting into the adjoining hundreds. Now it was not supposed that the whole of the inhabitants of Grampound had been implicated in corrupt practices, any more than that the whole had been implicated in the cases of Cricklade and of Shoreham. It was by mere accident that the noble lord was enabled to give any colour to his plan for transferring the elective franchise from Grampound to Leeds, for if the Penryn bill had happened to precede that of the noble lord, there would have been no other question before the House but that of throwing the votes of electors into the adjoining hundreds. It seemed to result from what had been said in answer to an objection, which was at one time manifested, to transfer the franchise to Leeds, that it was conceived Cornwall returned too many members to parliament; but this opjection, so far as it went, might apply equally well to other counties—to Wiltshire, for instance. Cornwall, he believed, contained twenty-two boroughs; Wiltshire sixteen. The principle of the noble lord's measure, therefore, seemed to be the same as that upon which the necessity of parliamentary reform was contended for, namely, that some counties returned too many members. Now, at present, he did not see what necessity there could be for mixing up with that subject questions which were merely dependent upon and necessary parts of it. He considered that it would be sufficient for the purposes of punishment, and the visitation of the abuse, to take away the elective franchise in this instance; but it was not required that that proceeding should have the effect of giving representation to others who were now unrepresented. He voted for the proposition of his noble friend, and of course against the motion of the noble lord, because it introduced no new right, while at the same time, it would tend to inflict such punishment on Grampound as its corruptions deserved. No sweeping measures should be resorted to, except in the last necessity; nor should a principle of loose reform be engrafted upon a measure which had a specific object in view—namely, the remedy of certain and avowed corruption. On the question of reform generally, he did not then wish to give any opinion; but when it came formally before the House, he should freely state what he thought upon the matter.

Mr. *Hobhouse* said, that although this debate had been protracted beyond the time, which, he presumed, it was originally intended to occupy, yet he would beg leave to detain the House a little longer, in order to say a few words which might explain his reasons for supporting the motion of the noble lord. As right hon. gentlemen on the other side of the House had thought it due to themselves, and due to their characters for fairness and candour, to state the reasons of their support to the measure before the House, he trusted they would allow him, in justice to his own character for fairness and candour, to make the same explanations, although they would proceed upon principles totally different from those of the right hon. gentlemen. Upon the present occasion, he thought the House did perfectly right in recognizing, as a principle, that the representation of the people wanted some reform. He should himself have taken the opportunity of submitting a similar proceeding to them before, if he had not thought that the noble lord who introduced the bill might have lost as much by his (Mr. Hobhouse's) alliance in that House as he had lost in the country by the alliance of the noble lord opposite. Really, at that moment, it did seem very necessary that the House should adopt some measure or other to prove to the country that they participated with them in the general call for a reform of parliament; and so far as the noble lord had in some degree recognized that necessity in the preamble to his bill, he gave it his support. And he said this so much the more, because it had been represented in that House that there was a certain number of reformers in the country who called for so much that they would not take less than they called for. If it were so, he could only say that he was not one of those reformers. He was one of those who received with gratitude every concession of this sort; who was grateful for every step which was taken by the House in meeting the wishes and in favouring the just demands of the people of England. And he was most grateful to the noble lord who introduced the bill, not only for what he had now done, but for what had been done by him upon former occasions to restore the just rights and liberties of the people of England. With respect to the objections which had been taken to that part of the bill which said, that something should be done to reform the representation, and to transfer the franchises to Leeds, he could not concur in them; because all that he had heard upon this topic was, that those hon. gentlemen who so objected, would defer the fulfilment of that part as long as possible —would defer, what they were pleased to call the evil day. The right hon. gentleman who had used that term was not then in the House, and therefore he would not indulge in replying to the observation. But, as far as his voice might reach, he wished it to be known that he did not consider it an evil day: he looked forward to it as one auspicious to these kingdoms, and beneficial to the nation—as a day calculated to confer lasting happiness upon all classes without alloy and without discontent,—as that day which would restore to the Crown its true and real dignity, and to the people of England, a government, to which, by the ancient laws and constitution of the realm, they possessed an indisputable claim.

Mr. *A. Moore*, in contending for the propriety of this bill going to a committee, reviewed the various objections which had been taken to it by hon. gentlemen, and the propositions which had grown out of it. Some of those objections having been taken as to particular clauses, had been thought to affect the principle of the bill. But it was difficult to say what the principle of a bill was. The principle must be diffused through all the clauses; but if an objection was taken to a clause was it, therefore, an objection to the bill? If so, no bill scarcely ever would pass that House. It seemed to him, however, that whichever way the different opinions of hon. gentlemen tended, they all went to this point—that it was most expedient the bill should go to a committee. It had been said, that in the cases of Shoreham, Cricklade, and Aylesbury, there was no principle of reform recognized or adopted. But this statement he conceived to be erroneous; because every change effected, even in the mode of returning members, or in the mode of exercising that elective franchise, by virtue of which they were sent to that House, was a species of parliamentary reform. And then again, this was in reality no transfer of the franchise as had been said; it was either an extension of the franchise in the borough of Grampound, or the creation of a new right in the borough of Leeds. Whether they transferred the right, therefore, or diffused it through these hundreds, as had been suggested, in whatever had been proposed, the principle of parliamentary reform was equally recognized. If the reasoning which had been set up against the one clause were to avail at all, it would avail against the whole bill. If the noble lord opposite maintained that the principle of reform ought not to be recognised, upon such a view of the question this bill could never be passed at all. The noble lord's mode of attacking the bill was in effect a mode of attacking that part of it upon which the House entertained no difference of opinion.

Lord *John Russell*, in reply, observed, that he had but a very few words to offer to the House. He had heard, with great pain, the declaration of the noble lord opposite, and he did hope to have heard him, in the course of the debate, retract what he had said; but in that expectation he was disappointed. At the end of December last, the noble lord would recollect, that he (lord John Russell) had given notice of his intention to bring in a bill to transfer the right of voting from Grampound to Leeds. Not one word of objection was, upon that occasion offered by the noble lord; but he did understand him then to say, that he admitted his (lord J. Russell's) principle, as one proper to be adopted by the House, whenever the debate should occur. What he now complained of in the noble lord, was, not that he had violated any engagement which he had stipulated to observe, as upon this occasion, but that the grounds upon which he contested the measure were so weak and nugatory. It was something curious that the noble lord in the interval which had elapsed since December last, should not have found some better reason to assign for this seeming difference of opinion, than that which he now brought forward, namely, that the present measure was not founded upon the same principle as that which had been gone upon in the cases of Shoreham, Cricklade, and Aylesbury. But upon the noble lord's own showing, the force of his objection, in this respect, did not appear. The population of Cornwall was 269,000, who returned 44 members. The united population of the counties of Wilts and Sussex amounted to 383,000 persons, who returned 32 members. Therefore, the effect of the bill was, to take away a portion of its franchises from a county that with the lesser population returned the more members. But the noble lord and the right hon. the president of the board of control had found great fault with the principle of the bill, as admitting population and taxation to be the basis of representation. But this had been completely answered by an hon. baronet, who had observed, that the noble lord himself adopted the same principle at the Union. But what, he would ask, should be the principle of such a bill as this but the claims of population? Surely those who were to transfer the right of voting would not seek another Sarum to rest it in! He was sorry the right hon. the president of the board of control was not present; for he should have liked to ask him, whether, even in Liverpool itself, where the right of voting was not very unequally diffused, there were not many voters who could not come up to the poll, and swear that they were possessed of freeholds worth *5l.* a year? He would ask if any one would deny the numerous political and moral evils which flowed from the corrupt state of the representation? Then, if they could find one of these boroughs in which corruption existed to a notorious degree, why should they not carry its right of voting to a town of so large a population? He was an enemy to extensive reform, because he found that every principle of that sort led to a re-modelling of all our political institutions which he was far from wishing, and could not countenance. But why should objection be taken to a measure which was intended to punish and to remedy absolute and detected abuses—a measure founded upon constitutional principles, and upon the analogy of ancient laws? It had been termed a visionary hope, that it should have the effect of repressing similar offences on the one hand, and producing beneficial consequences to an unrepresented part of the community on the other. But the views of the president of the board of control appeared far more visionary, for he had expressed his hope, that the punishment of Grampound would teach all the other boroughs of Cornwall more caution, more propriety for the future. Now he (lord J. Russell) had heard of many visionary schemes; but of none quite so visionary as this expectation of the right hon. gentleman, that the punishment of one borough would purify all the rest. He had only further to say, that, with respect to what had fallen from the hon. member for Northumberland, he should be perfectly ready, for his part, to meet whatever might be the sense of the House; and he should have been pleased to have found in the noble lord the same readiness upon this point.

Lord *Castlereagh* rose to explain. He was fearful that some misunderstanding had occurred between himself and the noble lord: at the same time he had no wish to conceal his real sentiments upon the point to which the noble lord had alluded. He could have wished that the noble lord had felt himself at liberty to remodel his bill upon the principles observed in former cases: but he must contend that he had acted with every public and private candour towards the noble lord.

The bill was then read a second time.

BREACH OF PRIVILEGE—PETITION OF THE WARDEN OF THE FLEET PRISON.] The *Attorney General* presented a petition from John Eyles, Warden of the Fleet, stating, that during the last parliament, in consequence of an order issued by the then Speaker of the House of Commons, he had liberated from confinement in the Fleet prison Robert Christie Burton, esq., claiming privilege of parliament as member for the borough of Beverley. He, the warden, had since had an action brought against him by Mr. Burton's creditors, in consequence of the said R. C. Burton having, at the conclusion of the last parliament, gone to live abroad, and the plaintiffs considered themselves endamaged by the act of the petitioner in liberating Mr. Burton, who was indebted to them several thousand pounds, and now sought to recover the amount of their supposed losses by an action for an escape.—The petition was referred to a committee of privileges, to report thereon to the House.

PUBLICATION OF PROCEEDINGS IN A COURT OF JUSTICE.] Mr. *Hobhouse* gave notice, that on the 15th of June, he would submit to the House a resolution respecting the right assumed by judges of preventing, by imprisonment and fine, the publication of proceedings in a court of justice. He was sorry that so important a subject should be brought forward by one so little competent to recommend it to the consideration of the House; but he felt himself bound, unless some hon. member of greater weight, or more extensive legal knowledge, would undertake the task, to submit a motion on the subject to the House.

HOUSE OF LORDS.

Thursday, May 25.

AGRICULTURAL DISTRESS.] Lord *Erskine* presented a petition from certain occupiers of land in the county of Suffolk, complaining of the state of Agricultural Distress. The noble lord began by observing, that the petitioners desired him to say that it was not their wish to encroach on the interests of any other class of persons. In his opinion, indeed, all the different classes of the country must thrive together, or not at all, and if any one class expected to gain an advantage by sacrificing the interests of others, they would find themselves grievously disappointed. The petitioners conceived this to be the principle which had been acted on in passing the corn bill. They did not call on parliament to add any thing to their present protection, but they contended that they were deprived of the advantage which parliament intended to give them by the manner in which the average was struck. They merely wished that some data more fixed and certain might be adopted for establishing the average, but they by no means desired that any alteration which might be made should operate farther than what was intended by parliament. For his part, he wished that all obstructions to free trade could be removed, but the agriculturists of this country were placed in a very peculiar situation, for they could not, with the burthens to which they were liable, produce corn so cheap as foreigners. During the late war this country had stood like an Atlas on the shoulders of other nations, but what was the consequence? The agriculturists were subject to a weight of taxation unknown to the other countries of Europe. Such was the difference of price produced by the burthens of this country, that on the opposite coast corn could be grown for 32*s.* the quarter, and the freight on it would only be 1*s.* 6*d.* per quarter, so that the expense of import to the London market would not be more than that of carriage from the county in which the petitioners lived. He would on a future occasion take an opportunity of stating his views on this subject.

The Earl of *Lauderdale* found that the present petition resembled many others on the same subject already on the table. In fact, it was no wonder that they were all of the same nature, for they came all from the same shop. They were all, he believed, the manufacture of Mr. Webbe Hall, a gentleman who had been circulating pamphlets among the members of that and the other House of Parliament. He could not agree with that gentleman in the principles he laid down. He had supported the corn-bill, but could not support the doctrines now afloat. It had been proposed to indemnify landholders for tithes; as if every man who occupied ground did not previously know that he was to take it burthened with tithes. He could not help being astonished that the person who had taken so active a part in setting the agricultural interest against the manufactures, should be rewarded by being made secretary of the board of agriculture. Many were of opinion that that board had never done much good, and he did not know any thing that could be expected from them capable of compensating such an appointment. Much had been said about economical reform, with which he did not agree; but if a motion for suppressing this board were to be brought forward, that was a question of economical reform which he should be very much inclined to support.

Lord *Erskine* said, he knew nothing of Mr. Webbe Hall, and could not see what that gentleman's opinion had to do with the petition.

The Marquis of *Lansdown* presented a number of petitions from the occupiers of land in the county of Wilts. His noble friend must not expect him to be able to say whether Mr. Webbe Hall had any hand in these petitions. He could, however assert, that they came from persons of great respectability and the principal occupiers of land in the county. He had, nevertheless, the misfortune to differ with them, and when the subject should come to be discussed would consider it his duty to take a different view of it. The legislature had not the power of preventing the agricultural interest from sharing in the general distress which affected the country. He was, however, well assured, that those who had signed these petitions would only put their names to statements of the truth of which they were well convinced. To that extent, therefore, they called for their lordships attention, and he presented them to the House as the representations of a very respectable and numerous, and, he was afraid he must add a very distressed body of persons.

Ordered to lie upon the table.

Civil List Bill.] The Earl of *Liverpool* rose to propose to their lordships the second reading of the bill for the support of his majesty's household, and of the honour and dignity of the crown of the united kingdom of Great Britain and Ireland. Though he considered the subject of great importance, he did not think it necessary to trouble the House with more than a few words on this motion for the second reading of the bill. He should be as short as possible, reserving to himself the right of reply and explanation, if any objection should be made to the motion. In the conversation which lately occurred, in consequence of his being asked, whether he intended to propose any inquiry previous to the consideration of the civil list he stated two reasons for declining to take that course. The first was rather one of precedent than argument—namely, that he was not aware of an inquiry of such a nature being instituted at the commencement of any reign. He did not mean that parliament were precluded from doing what had not been done on former occasions, if a sufficient case were made out; but, in the present instance, no ground had been shown for departing from the usual practice. The second reason he had assigned was, that the whole subject of the civil list had been investigated, in 1816, by a committee, and a very full report on the subject had been presented to parliament. On that report parliament came to a decision, and made an arrangement for the civil list, at a time when the prerogatives of the Crown were exercised by his present majesty as Prince Regent. No alteration was proposed in the arrangement then made. Their lordships had heard the sentiments expressed by his majesty on his accession to the throne, and they were aware that this bill was founded on the principle that nothing should be added to what paliament had thought it right to stipulate at the last settlement. This principle was acted on at a time when his majesty must necessarily incur some additional expenses, besides those to which he was liable as Prince Regent. The establishment at Windsor-castle, Buckingham house, and some other places were obvious instances of this kind. At the same time, when nothing more was asked than had been settled in the arrangement of 1816, there was no pretence for instituting a new investigation. He was aware it had been asked, whether there was not ground for inquiry with reference to the variation which had taken place in the prices of provisions; but he knew too well the liberality of their lordships to suppose that they would think it proper to determine a question relative to the civil list by an inquiry into the fluctuation of prices from one year to another. But even on this point there was no ground for inquiry; for, in 1816, the question had been considered with reference to every kind of expense and anticipated fluctuation; and, in fact, at the time the committee was sitting, the prices of provisions were actually lower than at present, for it was at the time of the great fall occasioned by the sudden depreciation of agricultural produce. With regard to the amount of the civil list, that was a point on which he could not anticipate any objection. Indeed, its present state would appear to have no advantage compared with what it had been in all former reigns. The arrangement made for George 2nd, was certainly more liberal than that made for his present majesty; and besides, in all former reigns, the sum granted was clogged with no restrictions.

Their lordships were, however aware, that by Mr. Burke's bill, and more particularly by the act of 1816, a complete classification of the civil list was established, in consequence of which the sums voted were appropriated to particular departments, and could not be directed to any improper purpose. By this classification, abuses were as far as possible guarded against; and a material clause in the bill of 1816, which was repeated in the present, operated most powerfully to the same effect. It was provided, that if the expenses of the civil list should exceed the sum granted by 15,000*l.*, that then the whole of the accounts must be laid before parliament. With respect to the expense of the third class of the civil list, the allowances and pensions to foreign ambassadors, he wished to say a few words. In allusion to that subject, it had lately been suggested, for the first time in that House, that it would be proper to make such an arrangement of the civil list as would separate the maintenance of the Crown altogether from the expenses of the civil government of the country. He confessed, however, that he had very strong objections to any alteration of the course which had hitherto been followed in this respect. He should be very unwilling to introduce any arrangement which would tend to separate the Crown from the civil government. The spirit of the constitution required that the king should be considered as the source of all honour and dignity, and this principle would be infringed were he singled out and set apart by himself. He therefore thought that their ancestors had acted rightly in joining the charges for civil offices, with the expenses for the royal family; and this observation seemed to apply more particularly to the class in question than to any other of the civil list. Before 1816, the whole of the expense for foreign embassies was at the disposal of the Crown; but it was thought by the committee that a distinction should be made between the salaries of ambassadors, and extraordinary allowances and pensions. It was therefore resolved, that the extraordinary charges should be withdrawn from the civil list. The object of this alteration, like every other part of the arrangement, was, to introduce as much accuracy as possible into the accounts, and to exclude what was not subject to estimate, in order to preclude the contracting of debts in any department. The estimates for foreign missions were accordingly regularly laid before parliament, and he believed no one who had lived abroad would consider these allowances too high. He was certain that no official person in the service of the country abroad could expect to do more with his salary than to avoid running in debt. It had been observed, that the expense of foreign missions must fluctuate at different times. This he admitted; but their lordships would recollect that the arrangement was made in 1816—in a year of peace; and if a change should take place, to diminish the expense—if by the recurrence of war there should be less communication with the continent—in that case the public would reap an advantage, as it was provided that all the savings on the third class should go, not to any other department of the civil list, but to the consolidated fund. The casual revenues of the Crown afforded as little ground for inquiry as the third class, since the bill proposed nothing new, but only re-enacted what had been previously settled. Undoubtedly, if the Crown came forward with a demand for the payment of debts contracted by the civil list, or for any addition to the sum now granted, it would then be competent for parliament to institute an inquiry; but for such a proceeding no ground at present existed. The droits of the Admiralty, and other duties which were chiefly important in time of war, were regularly accounted for, and the amount of the income and expenditure of every branch of the civil list was strictly regulated. The reductions in other establishments connected with the Crown had already produced a saving to the public of 140,000*l.* a year, while no addition was sought to the sum voted in 1816 for the support of the civil list. Parliament had by the present act given securities which never were obtained before; and that important security against contracting debts by the provision that if the expenditure exceeded 15,000*l.* the whole accounts of the civil list should be laid before parliament, gave in particular an important advantage to the public. On these grounds he was persuaded that their lordships would not hesitate to give their assent to a bill to necessary for maintaining the honour and dignity of the Crown.

Lord *King* did not concur with the noble lord in the warm approbation he had bestowed on the bill before their lordships. In his opinion, the subject of the civil list was now as embarrassed and confused as ever. This could not fail to be the case, when some salaries were charged partly on the civil list, and partly on the consolidated fund. He could not think that economy was intended by the authors of the present bill. Had that been their object, they certainly never would have chosen the arrangement of 1816 as a model for the present settlement—an arrangement which had sanctioned no less than three or four privy purses, namely, the late king's, the Prince Regent's, the allowances to the queen, &c. He did not say that these expenses were continued, but it was certain that the bill was introduced on the same principle of extravagant expenditure. He found that it sanctioned the abuses of the $4\frac{1}{2}$ per cent duties, and the droits of the Admiralty; and it therefore could not be introduced with a view to economy. The radical vice of the general government of the country was profusion; and this bill carried that vice into the civil list. In the general government the aim, seemed to be, of every individual who directed a department, to render that department as perfect, or, in other words, as expensive as possible. Thus, the persons at the head of the ordnance or the navy thought only of extending their departments. What he complained of was, that there was no efficient control. A certain sum should be fixed for each department, and it should be said to the heads of departments that they would be allowed no more than the estimate. The allowance should be only what could be spared, and not what the heads of departments wished for. He thought there were advantages in the old system of the civil list which the present did not possess. It was calculated to create a greater inducement to economy on the part of the Crown. In the third class, he thought a more economical arrangement might be introduced. The services which came under that class were, he believed, the worst performed and the highest paid of any of the same kind for any country in Europe. In 1816, the foreign missions had cost 300,000*l.*, and 290,000*l.* was the present estimate. He would wish it to be made the interest of the Crown to employ as few foreign ministers as possible; but, as the case now stood, it was only necessary for an envoy to continue long enough in the service to qualify himself for receiving a pension, when he resigned, and made room for another. The noble lord had observed, that any saving on this class would go to the consolidated fund. He believed, however, that there never would be any saving; but the noble lord had not told them what would have been more important, if he could have stated it, that, in the case of any increase in this class, it would not be charged on the consolidated fund. The noble lord had made something like a comparison between the present civil list and that of George 2nd. Now, the sum granted to his present majesty, for England, was 850,000*l.*, and for Ireland 207,000*l.*, to which must be added the additional debt incurred for England, amounting to 988,000*l.*, and for Ireland 269,000*l.*, which, with what applied to Scotland, made altogether a civil list of 2,540,000*l.*; and yet the 800,000*l.*, or 900,000*l.* granted to George 2nd, was represented by the noble lord as more liberal than this great sum. But it might be said, that only a small portion of this was appropriated to the royal family. This would be easily seen by reference to the papers. The first class, which included a privy purse of 60,000*l.*, was entirely allotted to the royal family. There was besides, the household, estimated at 209,000*l.* The expense of superannuations in the lord chamberlain and lord steward's offices amounted to 140,000*l.* The payments for various purposes were stated at 41,297*l.* These and other charges amounted altogether to 900,000*l.* for the use and dignity of the royal family alone. When, therefore, the noble lord said that the allowance to George 2nd was more liberal than the present civil list, the assertion appeared to him most extraordinary, and he believed the noble lord was the only person who would venture to make such a comparison. In Scotland a very unnecessary expense was entered into by appointments, which would not be made if the civil list were established on the principle of inducing economy. But nothing was gained, even in appearance, by the present system, while the subject was rendered so confused as to excite suspicion. Instead of practising economy the civil list was more expensive than ever it had been. If the noble earl really supposed that this confused arrangement was calculated to support the dignity of the Crown, it was plain he did not gain his object, for by reference to the accounts it was still possible to ascertain what portion of the civil list went to the royal family. He could see no sound principle in the noble lord's argument. It might with equal propriety be contended that the expenses of the royal family should be mixed up with those of every department of the state, for the king was the head of every branch of the executive government. The Crown surely was the head of the military establishment of the country, and yet he never heard any objection to a separate vote for the army. Upon the whole, he thought the old plan of arrangement for the civil list preferable to the present.

The Earl of *Darnley* expressed his surprise at seeing that so large a civil list should be proposed for Ireland, considering the means of that country as compared with those of England, without producing a single item to prove its necessity. The civil list of England was 850,000*l.*, that of Ireland 207,000*l.* He thought they were bound, on the part of Ireland, to require some explanation on this head. Another circumstance, to which he felt it his duty to allude, was the increase of allowance to the lord-lieutenant, though the business of that office was considerably diminished since the Union. It was now increased from 20,000*l.* to 30,000*l.* a year, a sum which, as the matter stood, he could not help considering enormous; and their lordships, he thought, would not do their duty by that country without requiring some details.

The Earl of *Liverpool*, in explanation, stated, that the sum now fixed on for Ireland was exactly the same as it stood at the demise of his late majesty. That it was not more than the necessities of Ireland required, they had this proof, that no sum had ever been remitted to this country. They had also another fact in corroboration, which was this:—At the time that the civil list of Ireland was in debt, an act was passed, which rendered it compulsory upon the government not to grant any pension above 1,200*l.* a year except when the pension fund was below 80,000*l.* a year; the pension fund had long been below that sum, and yet no advance had been made in the amount of pensions, though under the act of parliament and in the state of the fund the government had authority to do so. As to the increase of salary to the lord-lieutenant of Ireland, he would appeal to those noble lords who had ever filled the office, whether it was not necessary, in order to meet the expenses of that situation? For a series of years no advance had been made in the allowance, notwithstanding the great increase in the price of provisions; and he would ask whether it was not fair that some alteration should take place? When a noble friend of his had filled the situation, the salary was not found sufficient; and he would appeal to a noble duke, with whom he was not in the habit of agreeing upon political questions, as to the same fact. Those who knew what the expenditure of the situation was, would not, he was persuaded, object to the advance of the salary.

The bill was then read a second time.

HOUSE OF COMMONS.

Thursday, May 25.

Drogheda Election.] Mr. *P. Moore* presented a petition from Mr. Alderson, the agent of a number of electors of the town of Drogheda, which disclosed the following facts:—That James Sweeney, William Moore, and other voters, had, on the 8th of May, caused a petition to be presented to the House, complaining of the return of Henry Metcalfe, esq., to serve in parliament for the borough of Drogheda, and that the House had appointed Tuesday, the 6th of June, to consider the said petition. On the 8th of May, two sureties were ordered to be provided, who were to enter into recognizances for the prosecution of the said petition, in conformity with the act of the 53rd of his late majesty. On the 12th of May, the present petitioner received from Ireland the names of the proposed recognizances, which he immediately notified to the examiner. On Saturday last, he attended the said examiner according to notice, when Mr. Rowland, the agent of Mr. Metcalfe, put in several affidavits, denying the validity of the security which had been tendered. Not knowing whether the complaint extended to only one or to both of the securities, petitioner prayed for time to inquire into the fact, which was granted until this day. He now stated, that he believed the securities proffered to be good and valid; and if further time were given, and copies of the affidavits were allowed, he had no doubt that he could give a full and sufficient answer to the allegations that had been advanced against the securities. Petitioner had applied to

Mr. Rowland for copies of the affidavits, which he had declined to grant; and, as considerable delay and expense might arise in getting copies from Ireland, petitioner stated that he had obtained other sureties, who were ready to enter into the necessary recognizances, if allowed to do so by that honourable House. Petitioner therefore prayed, either that he should be allowed time to adduce evidence and proof of the validity of the securities already offered, or that he might be allowed to propose other securities, who were now in readiness; such notice being given to the agent of the sitting member as might be deemed requisite by the House. One of the two branches of the petitioner's request should be granted. Either an opportunity should be given him to contradict the affidavits, or he should be allowed to bring forward the new securities whom he had provided. He therefore then moved, "That time till this day fortnight be allowed to complete the said recognizances."

Sir *J. Stewart* was of opinion that this was a case which did not justify the introduction of a formal motion with respect to it. Neither of the individuals who had been proposed as securities were fit to be received in that capacity. One of them was in the service of an eminent distiller; and the other was a young man, without house or property. These facts were sworn to by many respectable persons; the affidavits were on the table, and he could see no reason for re-examining those persons.

Sir *J. Newport* observed, that the present petition was one of considerable importance to the electors in every part of Ireland. It must be quite manifest to the House, that the elections on the other side of the channel were, in various points of view, different from what they were here. It was much more easy to know, if securities were rejected, whether the grounds of rejection were good, when individuals were on the spot, than where they came from a distant part of the empire. The petitioner in the present instance stated, that he believed, on examination, the sureties would be found satisfactory; and he wished to introduce other affidavits, contradicting the facts stated on the other side, for the purpose of correcting the impression they seemed to have made on the examiner; or, if that were refused, he prayed that he might be allowed to bring forward other sureties, which appeared to him to be sufficiently valid. He rather drew the attention of the House to this question, because it was quite evident that considerable difficulties were thrown in the way of election petitioners on the other side of the Channel, which ought as much as possible to be removed. In Ireland, much too large a power devolved on the returning officers of the different districts. That great power which was thrown into the hands of the returning officer, in consequence of the difficulty that could be easily raised on the other side of the Channel, ought to be viewed with considerable jealousy. He said this from a personal knowledge of the fact, for he had found great difficulty in asserting his right in that House, and he had experienced all the obstructions thrown in the way of petitioners against elections in Ireland. This arose in a great measure from the removal of the seat of parliament to this city. He could speak practically as to the difficulties that were consequent on the extent of power now vested in the returning officer—a power which formerly could not be so exerted. He thought nothing could be more reasonable than the proposition, either to allow the petitioner to prove the validity of the securities already tendered, or to admit him to bring forward new securities. Under these circumstances he conceived the petitioner had a claim on the justice of the House, and therefore he should vote for the motion.

Mr. *Wynn* said, that if the House allowed in this case time for offering new securities, they must allow it in every other case, and petitions might be presented to the House on the very last day of the period described for recognizances, in order to obtain further time to substantiate securities. He knew nothing of the securities in this case, but it appeared probable, from the statement of the hon. baronet, that they would be ultimately rejected. It was fair, however, to allow further time to produce affidavits to establish the securities already offered. The hon. gentleman referred to a decision of the House in a similar case last year.

The *Speaker* said, that the case alluded to by the hon. member, referred only to further time for establishing the securities offered. The House were aware that the period allowed for entering into recognizances was 14 days; but in all cases from Ireland, 14 days more were allowed for making the report to the House. In the case to which the hon. member had alluded, 14 days more had been asked for completing the recognizances. In this case the time would not expire till the 5th of June. The 14 days now required would extend that time three days farther. If the object was to give new securities, the case would be, without farther time, irremediable; but, on the other hand, if the object was to make inquiry respecting the present securities, the petitioner had already to the 5th of June.

The motion was agreed to.

AGRICULTURAL DISTRESS.] Lord *Milton* presented a petition from certain owners and occupiers of land in the county of York. It was, he observed, one of the numerous petitions on the part of the agriculturists complaining of the distresses and depressions under which they laboured, and praying for relief. He was fully aware that the complaint of distress was not only well founded, but was particularly deserving the attention of the House. At the same time he admitted that any interference by the legislature in the price of human food was a subject which should be touched with great delicacy. The petitioners attributed their distresses to the competition of the foreign markets against them, and they prayed that protection from such competition which was enjoyed by the commercial and manufacturing branches. How far the inquiry, a notice of motion for which had been given by an hon. member (Mr. Sumner), was intended to go on this important subject, he was not aware—whether it was to be limited to an inquiry into the capacity of the farmer to bear those burthens to which he was liable, or to go more generally into the nature of those burthens which affected all other classes, and of which the farmer, like others, felt the weight. If the object of the hon. member was the more limited one which he had mentioned, he apprehended it would only be considered by the people at large as an attempt to enhance the value of lands, and to raise the price of their produce; but if the inquiry should not only go to the agricultural distress, but to the general distress which affected the whole body of the trading part of the country, then he thought that considerable good might be derived from it, as it would show that the object of the House was not to confine itself to one particular class, but to find a remedy for that general distress which affected the whole.

The petition being read,

Mr. *Sumner* said, it had not been his intention to offer any observations on this subject, or to promote a partial debate on its merits; but having been alluded to in the observations of the noble lord, he felt it necessary to say a few words in explanation of the object of his intended motion. His object was of a double nature. The first part of it would be exclusively applied to the protecting duty, as it was now fixed. It would be recollected that, in consequence of an inquiry into this subject in 1815, the legislature had fixed 80*s*. as the highest price at which corn should be sold, and they accordingly devised means for preventing any excess beyond that price, by allowing importation of foreign corn, when ours rose beyond it on the average of a given time. Now one object of his inquiry would be to ascertain how far this remedy had answered the end for which it was intended. The next object of inquiry would be to ascertain how far the agricultural interests was affected by that general depression which was complained of by all classes. He was anxious that this inquiry should be gone into by a committee of both sides, for the two objects; but he thought that a separate inquiry, as to how far the regulations of 1815 had answered their purpose, would tend to tranquillize the country.

Mr. *Curwen* was of opinion that a committee should be appointed, to inquire into the state of the farmers; for if some alleviation of their burthens did not take place, the growth of corn must be checked, and we should be left entirely at the mercy of the foreign grower. He hoped that, whenever the committee should be appointed, it would consist of both interests; for if it were confined to one, the country would look upon it as of that kind from which no benefit could be derived.

Mr. *Coke*, of Norfolk, thought that the system of taxation which had been so long pursued was the chief cause of that distress and depression which were felt by the farmers and other classes. He agreed that the farmer should be allowed a fair remunerative price for his produce;

for unless that were done, large quantities of land which had been cultivated with artificial manure must be let run to waste. One great cause, however, of all the depression was, the heavy taxation.

Mr. *Ricardo* said, that the object of the petitioners seemed to him to be nothing else than to get a monopoly of the English market. The consequence would be, that the price of corn would be raised, and laid generally on all the other classes. The idea which the petitioners had of protecting duties was a most erroneous one, and would, if acted upon, be destructive of all commerce. If they meant that the countervailing duties should be equal in amount to the difference between the price at which corn could be sold here and that at which it was sold in a foreign market, they went upon a most erroneous principle, and one which, he hoped, would never be introduced. Suppose corn sold here at 80*s*., and that in Poland it could be procured for 40*s*. or 50*s*.; if, under such circumstances, it were intended to put on a countervailing duty of 30*s*., there would be an end of all importation, and of every principle of commerce. In that case, the importer would be at a certain loss by the amount of freight, and of course no one would import; the consequence would be, that the price of corn at home would be raised to an exorbitant height. Viewing the question in this light, he hoped that the motion for a committee, whenever it came before the House, would be negatived.

Mr. *Benett*, of Wiltshire, could not agree with the last speaker that it was the wish of the petitioners that an entire prohibition should be made against foreign importation. They did not think that a free importation of foreign corn should be allowed. They conceived, and it seemed to him that they were justified in thinking, that they ought to be allowed those fair protecting duties which were given to other classes; but for doing this, they were accused of illiberality and ignorance of the general principles of commerce. As far as he knew, the object of the agriculturists was not to increase corn to a great height, but to keep it at a steady remunerating price. At present the price was not sufficient to pay taxation and poor-rates. It would be idle to say that the price of corn was the cause of distress among the poor. That distress was occasioned by the great reduction in the price of labour, and the decreased demand for it. The labourer was now worse situated than when the value of corn was much above its present amount, for then he was employed, much better paid, and could afford to purchase at the high price. It should be remembered that corn was much lower during the time that a bounty was given on its exportation than it was after that bounty was withdrawn. He fully agreed with an hon. member, that the great evil arose from the pressure of enormous taxation. That should be remedied as far as possible, as the first step; and then he conceived that equal protection should be given to the manufacturers and agriculturists.

Lord *Milton*, on a question so important as the present, felt it necessary to look at the objects and views of the petitioners. He had before stated, that he would not then declare whether he would or would not vote for the appointment of a committee. When that subject came before the House, the way in which he should give his vote would depend upon the nature of the objects which the movers might have in view, upon the members who were to constitute the committee into which it was proposed to enter, and upon the subjects into which the committee were to be empowered to investigate.

Ordered to lie on the table.

REPRESENTATION OF THE PEOPLE OF SCOTLAND.] Lord *Archibald Hamilton* rose in pursuance of the motion of which he had given notice. As he understood that no opposition was to be made to it, he should content himself with stating the nature of the document for which he intended to move, and the reason which induced him to move for its production. The document which he wished to be laid before the House was a document containing the number of persons entitled to vote for counties in Scotland: it was annually made up, and therefore could be obtained without the slightest difficulty. The object for which he wanted it was to afford assistance to himself and to the House in the discussion of a question which he was inclined, from a sense of duty, to submit without delay to their most serious consideration. He believed that it was not generally known in the House on what the right of voting for county members rested in Scotland; and he therefore wished that those honourable members, who were unacquainted with the qualifications of Scotch voters should receive the best possible information upon the subject. They would then find, that those qualifications did not at all depend upon property, and that it was possible for the whole representation of Scotland to be in the hands of those who did not possess an inch of land in the country, whilst the whole landed property of the country might be in the hands of those who had not a single vote. This was a system which ought never to have been allowed to exist; and which, as it did exist, ought not to be allowed to continue. Such, at least, was his opinion, and he was happy to say that a large portion of the inhabitants of Scotland concurred with him in it. The paper for which he moved was of little use in itself; but of great use as regarded his ulterior object. As he had already alluded to the defects of the Scottish representation, he might be permitted to add, that the courts of law had, in some instances which had come under their notice, acknowledged the existence of them in their decisions. He knew not how any remedy could be applied to them without introducing into the system a fresh principle of representation. He did not intend, when he introduced such principle, to move for the abolition of any of the feudal rights at present existing in Scotland; on the contrary, he would now state, that in any proposition which he might hereafter bring forward, it was not his intention to disturb any existing vote. He would continue their votes to those who now had them, but would grant the right of voting to those who now had it not, though possessed of considerable property. He would now move, "That there be laid before the House a copy of the roll of freeholders of every county in Scotland, as last made up, and certified by the sheriff-clerk."

Lord *Castlereagh* observed, that as the document now called for was a public one, he had no objection to the production of it. He trusted that no hon. member would at present enter on the subject, as it might lead to a premature discussion, which, on a question like the present, had better be avoided.

Mr. *Hume* could not help suggesting to the noble lord, that it might greatly assist his ulterior object, if a distinction were made in the roll, between those superiorities which were mere paper superiorities, and those which were connected with the land to which they were attached. He had himself seen a roll in which this distinction had been made. With regard to the Scotch representation, he would merely state, that the number of voters for the thirty Scotch counties, twenty years ago, amounted only to 3,000, and he conceived that, with the increase which might have taken place in the interim, they did not now amount to more than 3,600. Another circumstance which might surprise some members was this —that in a county where there were 20 votes, 18 of them belonged to superiorities which were perfectly detached from the land.

Sir *G. Clerk* observed, that the scheme which had been suggested by the hon. member who had spoken last, was not practicable, because in the books in which the names of the voters were enrolled, there was nothing from which it could be determined whether the rent was reserved or not. The distinction which the hon. member wished to draw could only be obtained by the examination of every individual voter for a county in Scotland.

Mr. *Hume* said, that he had himself seen a roll in which that distinction had been made.

Mr. *Abercromby* thought that a question of greater importance to Scotland could hardly be brought before the House. The distinction which his noble friend had made, between lands held beneficially and those held by superiority, was well founded; but he thought the view which his hon. friend behind him had taken of the subject was not so important as he imagined, because his noble friend had no intention of bringing forward any motion for destroying existing rights. The object of his noble friend was, an extension of the elective franchise in Scotland; and, when the House had been informed of the actual number of voters at present, some measure, he trusted, would be proposed to them, founded on the extension of property and the diffusion of wealth. Some gentlemen might be in the habit of thinking that it was dangerous to change any part of the representative system of the country, as they imagined that the representation of England could not be altered for the better; but he would desire those persons, before they made up their minds on this subject, to consider what was the nature and the extent of representation in Scotland. They would find that it was in every respect the reverse of what it was in England. In English counties elections were popular, but in the counties of Scotland they were purely aristocratical. In England, every man possessing a freehold of 40*s*. in the county had a right to vote; in Scotland, a man might be a landed proprietor worth 10,000*l*. a-year, and yet not be qualified to vote in the election of a member, nor even to be himself elected. He therefore conjured hon. members not to make up their minds on this subject from what they knew of the English mode of representation; for they might approve of an alteration in the representation of Scotland, and yet, with perfect consistency, maintain the opinion that it would be improper to make any change in England.

The *Chancellor of the Exchequer* said, that in consequence of what had fallen from the hon. and learned gentleman who had spoken last, he thought it necessary to caution those who were not intimately acquainted with the subject against deciding rashly that the representation of Scotland must necessarily be defective, because it differed from that of England. The two systems might differ materially, and yet each be well adapted to the circumstances of the respective countries.

Sir *R. Fergusson* expressed his obligation to his noble friend for bringing forward a subject so disgraceful to Scotland. The caution of his hon. and learned friend not to consider a general reform of the representation of England as necessarily connected with an alteration of the county representation of Scotland, was highly proper; because the two systems were wholly dissimilar in principle and in practice. The other caution of the right hon. the chancellor of the exchequer savoured too much of party principle; and he hoped the House would not, in the decision of such a question, be actuated by party views.

The motion was then agreed to.

Aldborough Election—Qualification of Mr. Antrobus.] Mr. *Fynes* stated to the House the circumstances which had given rise to the petition which he had presented on Thursday from Mr. Green, the agent of Mr. Antrobus. Mr. Antrobus, who had been returned for the borough of Aldborough, was in America on public business at the time of his election, and had not yet returned. A petition had been presented against his return on the ground that he was not qualified according to the act of parliament; and as the standing order of the House required that the qualification should be given in fifteen days after notice, it was evident that the hon. member could not in person comply with this order. He therefore moved that Mr. Green the agent of Mr. Antrobus, be permitted to swear to the rental of lands by which Mr. Antrobus made out his qualification to sit in parliament.

Mr. *Denman* did not find that a similar proceeding had ever taken place on a former occasion, and therefore he submitted to the House whether it would not be proper to refer the matter to a committee, which should be instructed to examine into the practice of the House in the case of members being elected in their absence from the country. If such a proceeding as the present was not strictly examined, persons might be elected who did not possess the requisite qualifications, or who held previous appointments which disqualified them.

Mr. *Bathurst* said, that since the constitution allowed absent persons to be elected, it would be hard to disqualify them on account of their absence, since any person who chose might insert in a petition that the person so elected was not duly qualified. He was for the original motion.

Mr. *Tierney* observed, that the act of parliament explicitly declared, that no person should have a seat in that House who did not possess certain qualifications, and who did not swear to those qualifications, if called on to do so, at the time of his election. This person, it seemed, was at present in America; and if his absence were to free him from the necessity of proving his qualification, a precedent would be established by which persons in the East Indies might be elected, who might continue absent for three years. He observed that in the return this person was designated as residing at Hyde-Park-corner, and if that address were correct, it could easily be ascertained whether he was duly qualified or not. He would not state his opinion on the question at present—he only wished to show that there were difficulties on all hands. The act clearly specified that the qualification was to be given in within fifteen days after notice, and, without violating the provisions of this act, the House could not agree to the present motion. It appeared, indeed, to be merely a matter of convenience to the parties; and if such a course were sanctioned by the House, electors in future might get rid of the act, and choose any person whom they pleased in any quarter of the world.

Mr. *Courtenay* said, that if the petitioner at the time of the election, had called for the production of the qualification, the present difficulty would have been avoided. [Mr. Tierney—"He could not; Mr. Antrobus was not present."] Be that as it might, the right hon. gentleman, he apprehended, was in a mistake when he said the House was called on to dispense with an act of parliament; for, as far as he recollected, the provision in question was not contained in an act, but in a resolution of that House. When a petition was offered against the return of a member, he was bound, within fifteen days, to give in the terms of his qualification, in order that the petitioner might have the best means of opposing him. Now, all that was asked at present was, not that the qualifications should be withheld, but that the agent might be allowed to give in the terms of it, in the unavoidable absence of the member himself; and by that course no inconvenience could arise either to the sitting member or to the other parties, nor could he see any of those evil consequences which the right hon. gentleman apprehended.

Mr. *Abercromby* thought that in the present case, by adhering to the standing orders of the House, they would frustrate the ends of justice. He wished that, instead of the present motion, the hon. mover had proposed that the petition should stand over to the next session, especially as the whole of the petitions could not be gone through in the course of the present. He should vote for the motion, but should have preferred the postponing of the petition altogether.

Sir *J. Newport* said, that the act precisely provided that the qualification should be given in within fifteen days, and therefore the petition could not be postponed without violating the spirit and letter of the act.

Mr. *P. Moore* supported the motion. and could not conceive why the inquiry should either be referred to a committee or postponed when they had all the documents before them.

Mr. *Calcraft* opposed the motion. If a candidate was called on for his qualification at the time of the election, and it was not considered satisfactory, the electors would be warned that their votes were in danger of being thrown away. This gentleman, however had avoided that dilemma by his absence, and, therefore, if the House granted the indulgence which was sought by the present motion, they would give an absent candidate an important advantage over a present one. The House should be cautious how they trifled with their standing orders, and suspended them, even for one of their own members. The proposaal of his learned friend; at once to postpone the question, was still more dangerous and objectionable, for in the course of that delay the witnesses might die, and from various causes the inquiry might fall to the ground. By a standing order of the House peers were prohibited from interfering with elections; and that prohibition might be dispensed with in future, if such a precedent as the present would establish were allowed.

Mr. *Robinson* said, that in the case which the hon. member had supposed, of a candidate's qualification not being satisfactory, that candidate could not be elected, and therefore the evils apprehended could not occur. The hon. gentleman seemed to anticipate that the consequence of the House acceding to the present motion would be one seriously affecting the constitution of the House. He appeared to think that to dispense with the standing orders of the House upon the present occasion, would be to act in absolute opposition to the reluctance which they at other times manifested to permit any infringement. Thus he had instanced their determination not to permit the interference of any peer in elections; but here was the difference of the cases—that in the latter instance, to dispense with the standing orders of the House would be to do so to their own wrong; but the question before the House at that moment was, that such dispensation should be permitted in order to do right to another. He therefore thought that as good and as solid grounds had been laid for such a deviation from forms as could possibly be adduced.

Mr. *Denman* had one other objection to make, which he conceived to be of considerable consequence, namely, that in case Mr. Antrobus should not come home till that time twelve months, it might happen that he would not be bound by the qualifications delivered in. At least, therefore, it ought to be a subject of consideration with the House, before it agreed to dispense with these orders.

The *Chancellor of the Exchequer* concurred in the opinion that this was a matter requiring attentive consideration; and therefore in order to afford members an opportunity of giving it every attention, he should move that the further consideration of the motion be adjourned until to-morrow.

Mr. *P. Moore* found many grounds for supporting the objections which had been taken upon this occasion. It was almost alleged that there was no such person in existence as Mr. Antrobus [a laugh]; there might indeed be such an individual, but on the other hand it was at least requisite, if there were, that his description should be exactly stated.

Mr. *Abercromby* observed, upon what had been just remarked by an hon. member, that it was in his power to say there was such a person as Mr. Antrobus, and that he had no doubt he usually lived at Hyde-Park-corner; and if he (Mr. Abercromby) were obliged to describe that individual's residence, he should say it was at that place; but the fact, as it was stated by every person, was this, that Mr. Antrobus was not now at Hyde-park-corner, but in America.

Mr. *Calcraft,* although he supposed there could be no doubt that such a person as Mr. Antrobus really existed, maintained that it was clear he had been described as resident in a place where he did not reside. This was a point of great importance, and he felt obliged to the right hon. gentleman who had proposed to adjourn the further consideration of the debate.

Mr. *Fynes* remarked, that the only difficulty which occurred to him was this: the term which was limited by the standing order of the House for the consideration of these matters expired that day. It might be a question, therefore, how far such a circumstance might affect the proposition of the chancellor of the exchequer.

The *Speaker* said, it was perfectly true, that this was the last day which according to the standing orders, was appropriated for these petititions, but at the same time the House must be quite aware, that it was competent for them, without substantially infringing the order of the day, to remedy an inconvenience which they might have imposed upon petitioners by their own regulations; but he conceived that it was not to be doubted that the adjournment of a debate was, to all intents and purposes, to be considered as a prolongation of such debate; and, therefore, if the present discussion was adjourned until to-morrow, the parties would stand in precisely the same situation as they would have done if it had been now got through.

The amendment was then carried without opposition. And on the following day the motion of Mr. Fynes was agreed to.

Boston Election.] Mr. *Courtenay* begged to call the attention of the House to a singular case, and one which he considered to be much stronger than that which had just come before them. At the last election for the borough of Boston a gentleman of the name of Ellis had been returned by a considerable majority. The validity of this election was petitioned against by the other candidate, who represented that Mr. Ellis was ineligible under the Grenville act. The consideration of this petition stood for the 6th of June, but it was physically impossible for Mr. Ellis, and that without any imputation of negligence upon his part, to appear by that day. What he should wish would be, that the House should postpone the consideration to a day, the earliest at which it might be possible for Mr. Ellis to be heard. There was this difference between this case and that which had been just submitted to the House; namely, that Mr. Ellis had no agent in this country at all—no one to appear for him. By the 6th of June, there could be no person present to say who should be nominee for Mr. Ellis. It was on these grounds that he should move to postpone the hearing of this petition to some more distant day. The House were in possession of the grounds on which this gentleman's return was opposed: it was, that Mr. Ellis was supposed to have held an office under the Crown coming under the description of offices created since the statute of queen Anne, in consequence of which he was disqualified. It was not his intention to dispute this position, for he believed that that office would be held a disqualification; but at the same time he was far from believing that it was a disqualification against which there might not be good grounds of defence, and it was known that many cases where such defence had been pleaded had arisen under that act. All that he entreated, however, was, that the House would not now enter into the merits of the case. He should move, that the House should appoint the committee for the last day which had been fixed for such matters in the present session, namely, the 18th of July. It was just possible that Mr. Ellis might return by that time.

Mr. *Tierney* said, that as it had been thought proper that the other motion should be adjourned, he saw no reason why this should not take the same course.

Mr. *W. Williams* said, he had always considered a question of this sort one of the greatest constitutional questions ever entertained in that House. It resolved itself into this—whether because Mr. Ellis had chosen to be absent from England for two or three years together, the representation of England was not, therefore, in the mean time to be filled up. He should beg to propose that this debate be adjourned till to-morrow.

This motion was agreed to.

HOUSE OF LORDS.

Friday, May 26.

Sunday Newspapers.] Lord *Kenyon* presented a petition from certain dealers in and venders of newspapers, against the circulation of Sunday papers. His lordship stated that it was in contemplation to bring forward a bill for the purpose of preventing the publication of newspapers on a Sunday, such publication not only being inimical to the interests of religion and morality, but doctrines of a dangerous or seditious nature being put forth in many of the Sunday newspapers.

Lord *Holland* declared his intention, if any such bill was presented, of opposing it in every stage of its progress. He was utterly at a loss to conceive upon what ground it was that the principles maintained by some of the Sunday newspapers was put forward as a reason for preventing their circulation. Were not the Sunday papers as amenable to the laws as other journals, if they published any thing improper; and would it not, therefore, be an odious attack upon the liberty of the press to prevent their circulation?

Earl *Grosvenor* referred to a motion which he had formerly brought forward upon this subject in the House of Commons, and which motion had for its object to prevent the circulation of Sunday newspapers. He stated that he still adhered to the opinion he then entertained, but he meant it without any reference whatever to the political principles which those papers advocated.

The Earl of *Lauderdale* thought it right the House should be aware that the object sought by this petition, of preventing persons being employed in newspapers on a Sunday, would not be answered by preventing the circulation of Sunday newspapers; it applied rather to Monday newspapers; all that was requisite for making up a Sunday newspaper being done on the Saturday, whilst a Monday newspaper necessarily required the employment of the persons connected with it on a Sunday.

Ordered to lie on the table.

Foreign Trade of the Country.] The Marquis of *Lansdowne* rose, in pursuance of the notice he had given, to move for a committee to inquire into the means of improving and extending the foreign trade of the country. So much did he feel the importance and magnitude of the subject, that he apprehended no sense of duty, however great, would have been sufficient to induce him to undertake bringing it forward, had he not entertained a well-founded hope of experiencing every indulgence from the House. Under the circumstances, however, in which he thought it necessary to propose to their lordships the appointment of a committee, he did not suppose that it could be necessary for him to say much to justify himself for having assumed that task. He certainly felt most strongly the weight of the undertaking, and would have been glad to have seen it in the hands of any noble lord more able to do justice to it. Undoubtedly such a question would have been brought forward with much more effect by the members of his majesty's government, from the superior information which they of course possessed; but that course having been declined, he felt it an imperative duty, however incompetent to the task, to call their lordships attention to the subject, interesting and important as it was at all times, but more especially so at the present moment, when the best interests of the country were so materially involved in the result. Several years had now passed away since the pressure of public distress engaged the attention of every friend to humanity and the country. That the noble lords opposite omitted to propose any measure of relief, was not, therefore, sufficient to excuse their lordships from attempting to inquire into the state of the evil, and to look for a remedy. Those threatening clouds which some years ago began to darken the horizon had gradually increased, and now wore a more dense, awful, and ominous aspect than ever. It was then impossible that their lordships could be justified in longer abstaining from investigating the causes of the distress under which the country suffered. He felt it incumbent on him, seeing that no other person felt disposed to take up the subject, to propose an inquiry into the state of the foreign trade of the country; at the same time, in proposing that limited inquiry, he was far from wishing to throw any impediment in the way of any noble lord who might be disposed to institute an investigation into any other branch of the public distress. Still less did he mean to check any inclination to inquire into the expense of public establishments, or to urge that economy which was so necessary to the welfare of the country. But the latter were among the daily duties of their lordships, while the proposition he had to make related to a subject which less frequently called for their immediate attention. He meant to confine the proposition he had to make to the appointment of a committee on the foreign trade of the country. He had chosen this course, because he was convinced that any more extensive inquiry would only open an arena, into which every chivalrous political economist would hasten to take his stand; into which every theory would be introduced, and where every opposing interest would find an opportunity of combat. In any committee of general inquiry, useful discussion would be impracticable, endless contests would arise, and inquiries would be pursued without leading to any result. But, in limiting the proposal of investigation to one single but important object, he begged it might not be concluded that he had it in view to protect or promote the interest of any particular body in the country in preference to others. He certainly had no such intention, but, on the contrary, had limited his proposition to a subject which he conceived intimately connected with the interest of the whole country. But, whatever course their lordships might determine to pursue, whether that of a limited or a general inquiry, if ever they were to entertain a design so unjust as that of favouring one interest or one body of the state, at the expense of any other, such a project would be impossible. So inseparably connected were the interests of society, so powerfully did the laws which Providence had imposed on those interests operate—for in regulating the wants they also regulated the actions of men—that any partiality of this kind was impracticable. Whenever it should be attempted to raise up a barrier for any particular interest, it would soon be found that its effect would be destroyed by the operation of the general interests of the community. Such a proceeding could only tend to bring on the body whom it was wished to favour increased humiliation and distrust. The experience of the last ten years could not be thrown away on their lordships, and he trusted it would not on the country. In the year 1815, they had seen the distress of the agricultural body visited on the other interests of the community. They had afterwards found the distress of the manufacturing interest visited on the growers of corn and the raisers of every kind of agricultural produce. From these alternate visitations who could fail to see that the order of nature had linked together all the interests of men in society, and that it was nothing less than the height of folly and madness to attempt to prop up any one class at the expense of another? It would ultimately appear that any class of persons whom it was attempted exclusively to benefit would find the injury which was thus done to other classes recoil with so much force upon themselves, that they would become glad to give up their exclusive privileges in order to derive a greater advantage from admitting their fellow-citizens to participate in the benefits to which they had before exclusively laid claim. It was not, therefore, for the benefit of any one class of persons exclusively, that his motion pointed, but to discover the means of benefitting all by a wise and judicious direction of the resources of the country in the channels of commercial activity and enterprise. He had formerly given his opinion on the corn-laws, and would not now go into an inquiry which he thought already disposed of—namely, whether the agricultural interest was sufficiently protected. He could not, however, help observing, that in looking at the petitions on the table, the opinion that this country ought to be rendered independent of foreign corn seemed to be adopted in some of them. The petitioners wished for prices which would give them the advantage they possessed in time of war, but they ought to consider that the effect of the continued operation of high prices must be to leave no country open for export. What then would be the result of sudden depression? If an extraordinarily abundant harvest produced low prices, the farmer would be ruined, and the manufacturer would participate in his distress. The lesson of experience on this subject would not be forgotten by their lordships. In considering a part they would look to the whole, and would not allow themselves to be seduced by views of partial interests from devoting their attention to the effect of any measure which might be proposed operative on the general psosperity of the whole country. There were some speculative persons, who thought that this country would be more prosperous were it independent of manufactures, and that it would be desirable to establish its interest solely on the basis of agriculture. Without entering into the discussion of the question of the advantage or disadvantage of manufactures, it was sufficient to recollect that this was a subject on which the country had no longer a choice. Commerce and manufactures had made the country what it was, and by them it must be maintained in the rank to which it had been raised. No axiom was more true than this—that it was by growing what the territory of a country could grow most cheaply, and by receiving from other countries what it could not produce except at too great an expense, that the greatest degree of happiness was to be communicated to the greatest extent of population. No man could anticipate the loss of foreign commerce without at the same time contemplating such a pressure on a large portion of the population of the country as must inevitably produce the most deplorable distress. Whatever speculative opinion therefore might be entertained upon this point, it was utterly impossible for us now to go back and say we would sacrifice our commerce and our manufactures to our agriculture; for were it possible to suppose that we could resort to the unspeakable inhumanity of sacrificing 2,000,000 of people out of 12,000,000 for the sake of such a theory, no human tongue could describe, nor could any human mind conceive the distress, the privations, and the miseries that such a sacrifice would bring even upon the remaining 10,000,000.—Whatever inquiry therefore was instituted, whatever measure might be adopted, their lordships must proceed upon the principle of protecting all those interests which had made the country a great agricultural, commercial, and manufacturing nation. No one interest could be separated from the rest; for all the various classes of the community depended on each other; and it might be said of each, as the poet had finely said of man in society—

> " He, like the generous vine, supported lives;
> " The strength he gains is from th' embrace
> he gives."

It was maintained, with regard to the commercial world, that the sooner trade rested on a level the better; but then, no small caution was required in order to arrive at this. Their lordships must not proceed rashly; the investigation into which he trusted they would enter required the greatest deliberation, for there were many difficulties to be overcome. He remembered to have heard an anecdote relative to a conversation between Dr. Adam Smith, and Mr. Burke, which was very applicable to the present subject. They happened to meet about the period when the judges had given a decision against forestalling, and Dr. Smith was expressing his indignation that the legislature had not immediately counteracted so baneful a decision by legalizing forestalling. Mr. Burke replied, "You, Dr. Smith, from your professor's chair, may send forth theories upon freedom of commerce as if you were lecturing upon pure mathematics; but legislators must proceed by slow degrees, impeded as they are in their course by the friction of interest and the friction of prejudice.' He knew their lordships would have much of prejudice to contend with in the course of their inquiry, and many interests to consider in connexion with the question of foreign commerce. He thought it therefore necessary to call their attention to the nature of the general distress which formed the ground for their investigation. Although he would not now enter into the discussion of the causes of that embarrassment and distress which extended more or less through every country in the globe. Suffice it to say, that either, as some contended, through the ambition of one individual, or as others said, through the errors of governments, or through a tide and current in the affairs of mankind, or perhaps with more probability, through a combination of parts of all these causes, long wars had been carried on, and nations had expended a considerable portion of their capital, instead of limiting their expenditure to their income. An artificial system had thus been established, and the consequence of this state of things was, that a numerous population had been called into existence by the great demand for labour. It was, however impossible that this expenditure could continue, but the population remained when the expenditure diminished; and this unemployed and unproductive population, or in other words, the quantity of labour beyond the demand for it, was the great cause of the existing distress. Those countries which, like Great Britain, from their financial system and their geographical situation, were enabled to expend most of their capital, and for a time to give encouragement to the greatest quantities of productive labour, had mortgaged their revenues, and were in a situation to feel the general distress in a greater degree than poorer countries, which could not spend their capital. Such had been the effect produced by the great expenditure their lordships had witnessed. This he took to be the situation of the country, and it contained an answer to a question put to their lordships by the petitioners of Birmingham, why, when there was so much plenty in the land, so much distress was felt? The circumstances which he had mentioned must be kept in view when their lordships' attention was to be directed to find a remedy for the distress which he had described. The most obvious remedy was, to create a demand for our labour and our manufactures, and the most obvious mode of creating that demand was, to encourage and to extend our foreign trade by removing some of those restrictions by which it was shackled. In looking towards such a relaxation, two things ought to be taken into consideration by their lordships: first the necessity of raising a large revenue to meet the exigencies of the state, and secondly, the justice and expediency of consulting those interests which were vested in our existing trade, on the faith of the continuance of the regulations under which it was now carried on. But although those considerations were not to be lost sight of—they ought not to prevent changes which higher interests and a wiser policy demanded. With the necessity of attending to them, their lordships ought to recollect that the policy which they involved was a departure from that which was dictated by the soundest principles of political economy, and therefore ought to be limited to what the strict nature of the case required. They ought, in short, to recollect that liberty of trade should be the rule, and restraint only the exception. On this principle he would arrange the different points which he meant to touch, and recommend the relaxations which it was his object to propose. The first point to which he should allude was not, perhaps, of any great practical importance—or one from the alteration of which any great expectation of relief could be fairly derived: it was the system of prohibition as it existed at present. Without entering into its operation on particular branches of trade, or specifying particular articles, he would venture to say that there ought to be no prohibitory duties, as such; for that it was evident that where a manufacture could not be carried on, or a production raised, but under the protection of a prohibitory duty, that manufacture or that produce could not be brought to market but at a loss. In his opinion the name of strict prohibition might therefore in commerce be got rid of altogether, but he did not see the same objection to protecting duties, which, while they admitted of the introduction of commodities from abroad similar to those which we ourselves manufactured, placed them so much on a level as to allow a competition between them. The next point to which he would advert was one of more practical and immediate importance, as it affected a principle on which the government of this country had long been carried on, and in the observance of which it had attained its present power and greatness—he meant the principle of the navigation-laws. The relaxation which he would propose in those laws was not of a nature, nor to an extent which ought to excite any jealousy in those who looked to them as one of the sources of our national security, nor indeed did he understand that the anticipation of it excited any alarm in the shipowners and others, whose interests were considered as so intimately connected with their strict maintenance. All the relaxation he would suggest would be to allow produce from all parts of Europe to be imported into this country without making it necessary that it should be so imported exclusively in English-built ships, or in ships belonging to the nation whence the produce came. At present a vessel which had taken part of its cargo in a French port and which afterwards had proceeded to a Flanders port for the remainder, could not enter a British port. All that he would propose would be to allow such a vessel to make good its assortment in different ports in Europe, and still to have the right of entering this country. He would make one exception to this relaxation of the navigation-laws—he would not allow the importation of colonial produce in this manner as that might deprive the shipping interest of this country of a very valuable portion of their trade. The third point to which he would advert was one of no inconsiderable importance in itself, and of still greater consequence from the principle which it involved—he meant an entire freedom of the transit trade. Such a change would tend to encourage the warehousing system, and would thus promote the desirable object of rendering our ports the dépôt of other foreign nations. Whatever brought the foreign merchant to this country, and made it a general mart—a dépôt for the merchandise of the world, which might be done consistently with the levying of a small duty, was valuable to our trade, and enriched the industrious population of our ports. Such freedom of transit allowed of the assortment in our ports of cargoes for foreign markets, and thus extended our trade in general. He was aware that the abolition of the transit duties was formerly opposed by those who wished to protect the linen trade of Ireland, and he willingly allowed that that trade deserved peculiar protection. A duty of 15 per cent, on the importation of foreign linens was, during the war, thought necessary to protect the linen manufactures of Ireland. No injury resulted from that arrangement while we engrossed the commerce of the world, while no vessel could sail without a British convoy, and while we could force our own commodities into foreign markets in preference to others, for which there was a greater demand; but now the case was altered, and many, he understood that many even of those who were interested in the linen manufacture of Ireland had altered their former opinions on the subject, and now thought a relaxation of the transit duty advisable. Indeed it could not be forgotten that this manufacture had flourished to as great an extent as ever before it was protected by any duty; but whatever was the policy of imposing that duty or continuing it during the war, the same reasons would not now justify its continuance. If we refused to admit German linen without the payment of a transit duty, the foreigner would rather go to Germany for the article; he would then either pay the duty which we imposed, or take a less valuable article as a substitute; and as linen might be a necessary article in the assortment of his cargo, this duty would drive him away altogether, even when desirous of obtaining other articles which our soil or industry could supply. He would readily admit that the linen manufacture of Ireland was entitled to every species of encouragement and protection; but he thought it was a subject upon which inquiry ought to take place, before that argument was permitted to operate against the general advantage. He now came to a fourth point, which involved important interests, and on which he was aware that a difference of opinion existed—he meant the state of the trade with the north of Europe, and the duties imposed on the importation of timber from that quarter. But first of all, before he touched on the policy of such duties, and the grounds on which their continuance was defended, he must recall to the recollection of their lordships the circumstances in which they originated. These high duties, then, were not imposed as a part of our permanent colonial system, nor were they imposed for the express advantage of the ship-owners, who now maintained that they had such an interest in their continuance. Neither was any pledge given or hopes held out to the ship-owners at the time that the duties were imposed, that they were to be maintained for their benefit. On the contrary, they were told in distinct terms that the measure was expressly of a temporary nature, which must cease at no distant period; and that it must necessarily be brought under review in March next. The interests now vested in the timber-trade to our North American colonies grew out of what was considered as a temporary arrangement, and had of course no security against a change which the general interests of the nation might require. It was easily to be conceived that the part of the shipping interest which was concerned in the importation of timber from Canada, did feel, and was justified in feeling, a strong reluctance to the removal of a tax, which, by allowing the country to obtain timber nearer home, would throw many vessels belonging to that respectable body out of employment. For that respectable body he wished to speak with becoming esteem and regard, and would say, that whatever predilection he might have for the general principle or freedom of trade, and in the employment of capital, he would admit that in some instances it might be necessary to depart from it, in order to favour the principle of navigation with British vessels; and therefore that he would not allow his partiality to lead him so far as to neglect the advantage and security which we derived from even an expensive navigation of British vessels. But it was one thing to agree to the justness of a principle properly restricted, and another to admit its unlimited operation; and nothing, it must be allowed, could be more detrimental to commerce than the imposing of a heavy duty on one of the most important raw materials that could be introduced into this country. And what was the reasoning of the ship-owners in their petition against an abolition of this duty? He should be sorry to misrepresent their arguments, and would therefore read the statement from their own petition. They represented that, from the length and difficulty of the voyage to North America, the larger part of the value of the timber, thence imported consisted of freight; that the American timber, being of an inferior quality to that from the Baltic required a protecting duty; and that the mere circumstance of the proximity of the northern ports of Europe, by enabling ships to repeat their voyages frequently in the course of a year, would reduce the number of British vessels employed in the timber-trade to one-third. What they said therefore was equivalent to this:—that whereas it was expedient that they should be employed—and whereas they could not be so employed if they procured timber where it was cheapest and best—they therefore should import it of the worst quality, and from the greatest distance. This was the proposition the shipping interest propounded when the question was whether we should import our timber from our own colonies or from the Baltic. And let their lordships consider what the article was that was thus to be raised in price, while it was deteriorated in quality. It was not an article of luxury, the price of which was of no importance. It was the raw material of our houses, of our bridges, of our canals, nay of our shipping itself. So inconsistent were the petitioners, that they asked parliament to continue duties which increased the expense of their own trade. A great part of the capital which they had vested in their business, and of the expense which they incurred, was rendered necessary by the high price of the article which they thus wished to increase by heavy duties. But let the House observe to what consequences the principle laid down by the petitioners would go, if carried to its extreme length, and applied to other branches of trade. Suppose it was stated by another class of persons that cotton was grown in the East Indies, that they were our own colonies, and that the voyage was three times as long as to the West Indies, or to any other part of the world from which we might obtain a supply; he did not see on what grounds those could resist such a statement who argued that we ought to import our timber from Canada rather than from Norway. The voyage would have the advantage of being thrice as long, and the article might be tripled in price. Their lordships would find it asserted in the petition from Newcastle, that if the shipowners had the whole of the carrying trade from the Baltic it would not be sufficient to employ one half of the shipping now engaged in the trade with Canada. This was another singular mode of reasoning. If a person were to make an offer to carry all the mails of this country, using twice the number of horses that were at present used, would that be considered as a recommendation of the new proposal? If their lordships did not lose sight of all principle, and allow that particular interests ought alone to be consulted, they must see that the general good would be better consulted by the employment of our shipping in a general extension of our trade than in adding unnecessary expenses to one branch of it. The ship-owners could not certainly, in the event of an abolition of the duties, have employment for their vessels to the same extent; but as the imports from Russia and Prussia would increase, and as they would have nearly the whole of that trade, the falling off might not be so great as they anticipated. —And with regard to the argument employed by them against renewing our intercourse with the north of Europe; namely, that those who supplied us with timber from that quarter would not receive British manufactures in return, it appeared to him futile and ungrounded. If they did not send direct for our manufactures at home, they would send for them to Leipsic and other fairs of Germany. Were not the Russian and Polish merchants purchasers there to a great amount? But he would never admit the principle, that a trade was not profitable, because we were obliged to carry it on with the precious metals, or that we ought to renounce it because our manufactures were not received by the foreign nation in return for its produce. Whatever we received must be paid for in the produce of our land and labour, directly or circuitously; and he was glad to have the noble earl's marked concurrence in this principle. We had been long in the habit of sending out the precious metals to the East Indies; but we purchased the gold and silver thus exported with our manufactures sent to America. But the petitioners overlooked two points—the increase of the trade itself by the importation of cheaper and better materials, and the increase of the shipping consequent upon that. They had overlooked the fact, that if the raw material was better and cheaper, the shipping itself would be improved, and, in all probability, more employed in the North of Europe. The whole subject would, however, be investigated by the committee, who would consider how much of the duty might be taken off the timber from the North, and what regulations might be adopted to reserve to Canada the supply of masts, for which its timber was peculiarly fitted. It deserved serious consideration how much more we paid for the timber from Canada than we should pay for that from the North of Europe. If the accounts he had received of the expense of importing from Canda were correct, there was an increase of 30 per cent on the article, as compared with the Baltic trade, accruing from the charges of freight and the original purchase. The additional sum imposed on this country by the duty, according to the average of imports, amounted to no less than 500,000*l.*; and on the port of London alone, in the course of the last three years, to 100,000*l.* He would now advert to another subject of great importance—the state of our trade with France, and particularly in the article of wine. Their lordships must know that a duty of 143*l.* 18*s.* was imposed upon the tun of French wine, while only 95*l.* was imposed upon Spanish and Portuguese wines. There had been a falling off in the duty in the last year of 220,000*l.* Some specific arrangement might, he thought, be made with the French government upon this subject, to the advantage of our own manufactures. Whatever objection the French government might have to the adoption of a general commercial treaty with this country, it could not be so indifferent to the interests of its subjects, as to refuse us an equivalent for admitting their wines on the same terms with those of Spain and Portugal. But even if no such arrangement could be obtained, even though the French government were not disposed at first to enter into any specific treaty, the people would find their advantage in the intercourse; and although we might be obliged, in the first place, to pay in bullion, our manufactures would go abroad to other countries, to purchase that bullion. For a long course of time we had been exporting bullion to the East Indies, and we exported manufactures to America for the purpose of procuring it. He would repeat his conviction, that the French government could not be so indifferent to the interests of its subjects, as to refuse entering into a reciprocal arrangement upon this point, but even if it did, France, and not England, would become the sufferer. The consent of Portugal to any beneficial arrangement of this kind with France would not necessarily be required, as if we did not enforce our claim to send Portugal our woollens, they had no right to demand of us to take their wines. This, however, might be settled by a short negotiation. What he had said with regard to the wines of France would apply likewise to its silks. He was aware that there was a poor and industrious body of manufacturers, whose interests must suffer by such an arrangement, and therefore he felt that it would be the duty of parliament to provide for the present generation by a large parliamentary grant. It was conformable with every sound principle of justice to do so, when the interests of a particular class were sacrificed to the good of the whole.

He had now gone through all the points of our trade with respect to Europe, and had imparted his views of the changes which he thought ought to be adopted. He now came to a subject which, with whatever difficulties it might be surrounded, had at least this advantage, that the adoption of the measure which he should recommend must materially relieve and benefit the shipping interest. It would be impossible for their lordships not to recollect, that from one of the largest, most fertile, and most populous portions of the globe, that immense space which lay between Africa and America, the general British merchant was excluded. From the time that he doubled Cape Horn, or the Cape of Good Hope, he found his commercial operations cramped, and his enterprise restrained; not by the nature of the country, for it was rich and adapted to commerce; not by the barbarism of the inhabitants, and their indisposition to trade, for they were numerous, industrious, possessing in a considerable degree the arts and inclinations of civilized life, and desirous to exchange their productions for ours; not by the difficulties of the seas, for by the trade-winds and the monsoons, navigation was rendered easy and secure to the commercial adventurer, but he was pursued, and all his schemes defeated, by the Statute book. It was this that restrained him from trading from one part to another without a licence. It was this which forbade him from trading in a vessel of a size the most convenient for his purpose. It was this which prevented him from dealing in one of the most valuable and lucrative articles of trade, viz.—tea. No one would suspect him of an inclination to speak disrespectfully of that great corporate body, the East-India Company; but he would say, that it traded under all the disadvantages to the country of a monopoly. He was convinced, from the interest which that body must feel in the national welfare, that they would not refuse to allow others to enjoy what they themselves were unable to enjoy; and this was all that he wanted to ground his proposition upon. The limitation under which the trade to the East Indies was carried on, prevented the employment of any vessel under five hundred tons in those latitudes; the effect of which was to prohibit such vessels as were best adapted to explore those extensive and promising regions from undertaking what they were best calculated to perform. If the private trade in the Indian seas were perfectly unrestricted, much smaller vessels might be employed; and many merchants would engage in it who could not fit out a ship of 500 tons burthen. There existed many nations perfectly accessible to smaller vessels, who were now never visited. They composed a population of upwards of 70,000,000; and it was impossible to calculate the benefit that might arise from allowing the experiment to be made as to what their wants consisted in, and how far they might be disposed to supply themselves from this country. So important indeed was the consideration of that subject, that he should beg leave to refer to their lordships a book of considerable research, the work of Mr. Crauford, which described the climate of those islanders to be salubrious, the soil fertile, the geographical situation favourable to commerce, abounding with ports and harbours capable of the most effective navigation, and yet lamented, and justly, that they were so little known. But not only was it the case with respect to those islands; the same might be said concerning the islands in the Indian Archipelago, which, according to that efficient officer, sir Stamford Raffles, were extremely civilised, though they did not present the same offer for commercial enterprise; still, however, it was the interest of this country to encourage a trade with them. He was well aware that all such trades must have slow and small beginnings; but he was also aware that it was in encouraging those slow and and small beginnings that the legislature of a country was best employed. He recollected a story, which, though it was not very dignified in itself deserved some notice from their lordships, since it had been put upon record by Dr. Franklin, as a complete illustration of the doctrine which he was then advancing. Dr. Franklin related that his wife, conceiving herself to be under obligation to a ship-owner at Maytown, made a practice for some years of sending a cap annually to his daughter as a present. After this practice had lasted for some time, the Doctor stated that he accidentally met this ship-owner, in company with a farmer of the same town, in Philadelphia. The ship owner said to him, "A dear cap that was, friend," which you sent to us at Maytown. "How so?" replied the Doctor. "Why, since you sent it us, none of our young women will go out without one." The farmer who was the better political economist of the two, hereupon interrupted the ship-owner, and told him that he was only telling one side of the story; for he ought to have added, that it was only since those caps had been sent to Maytown that their young women had been accustomed to send mittens to Philadelphia, it being by the sale of their mittens that they were able to procure the Philadelphia caps. This story he confessed was a trifle in itself; but it was upon trifles like these which acted on the minds of bold and enterprising men with a power which was more easily conceived than described, that the foundation of all those trades were laid, which the merchants of this country had carried on with so much industry and success, and which he trusted that they would carry on with still greater industry and success when they were allowed to embark in them free from those restrictions by which they had hitherto been shackled. Indeed when he considered the effects which had followed the opening of a free trade in the only quarter where it had yet been permitted, he could not for a moment doubt of the benefit which the commercial interests of the country would receive from the removal of those restrictions under which they had hitherto laboured. Their lordships would recollect, that six years ago, when the trade to the East Indies was not open, there was no independent British tonnage on the other side of the Cape of Good Hope. When the trade was opened, it was said by some, that it would be injurious to the British shipping; but how did the fact turn out: it appeared that the amount of the tonnage of vessels employed in the company's trade was twenty thousand tons, while that employed in the free trade amounted to sixty-one thousand, and who could say that it might not still increase? Was there any one among their lordships, seeing, as they all had seen, the rapid strides with which British commerce had advanced in that quarter of the globe, bold enough to say that the advantages of a free trade might not be carried still further even there, and might not be rendered productive of even still more important results? But, whilst upon this subject, there was another point which he wished to press upon the notice of their lordships, and which was this—that the free trade employed 4,720 British seamen, whilst the trade of the East India company employed only 2,550. This fact particularly deserved their attention, because it displayed the benefits of a free trade, even in quarters where benefits were least of all to be expected. Whenever a free trade to other countries nearer home had been proposed, their lordships and the country had been told that the opening of such trade would be highly inexpedient, because it would throw out of employment a certain number of British seamen; but, now that the trade was opened to the East Indies, it was proved that it not only did not throw any of them out of employment, but actually opened a field for the employment of an additional number of them. It was true that in the vessels employed in the free trade there were only 7 men to every 100 tons, whereas, in the East India service, there were 20 men to the same quantity of tonnage; but did that circumstance prove any thing against a free trade, connected as they ought to connect it, with the fact, that the number of seamen engaged in that free trade was greater than the number engaged by the East India Company? It appeared to him to be a peculiar hardship upon our merchants that in countries where the British had established an unprecedented power, and where they exercised an uncontrolled dominion, an American should be at liberty to carry on a trade in which it was not allowed to an Englishman to engage. The trade to which he alluded, was that of tea, which he understood was more than eighty to one in favour of the American merchant; nor was this at all surprising, for he not only derived a benefit from the liberty which he possessed of assorting his cargo when and where he pleased, but also from the liberty which he enjoyed of supplying France, Holland, and other parts of the continent with that commodity, tea, which the East India Company did not choose to do themselves, and would not allow any of their fellow-countrymen to do for them. The consequence of this extraordinary state of things had been, that while the British trade at Canton had been stationary during the last thirteen years, the American trade had made most rapid increase, and, indeed, during the last three years, had increased to a full third of its former value. He would next proceed to show to their lordships another point in which our commercial regulations gave an advantage to the American merchant trading in the eastern seas, which was not enjoyed by our own. Both must go to South America for bullion; and, for the sake of argument, he would suppose that Valparaiso was the port to which both went. The English merchant, after taking in his bullion, was obliged to return to England, and then could not set sail for India until he had refitted his ship. The American merchant, on the contrary, sailed directly from Valparaiso to his place of destination, disposed of one cargo, and took in another, almost before the English merchant was able to set sail a second time from England. Indeed, he had been informed, in the course of that morning, that at the present moment, certain Americans were fitting up vessels in the Thames in order to undertake a beneficial venture, which no Englishman could hazard with safety under the present regulations. Was it right that such a circumstance should be allowed to occur in this, which had been justly denominated the most commercial country in the world? Was it either right or expedient that that country should extend to Americans the privileges of a trade from which she excluded her own inhabitants, who were equally well, if not better calculated to carry it on, from their habits, their industry, and their spirit of enterprise? So fully was he convinced of the inexpediency of such a restriction, that nothing could induce him to believe that the East India company would not, if applied to, allow Englishmen to supply France, and Holland, and Germany, with tea from Canton as readily as it allowed the American merchant to do so. He looked upon this as the most beneficial of all the topics which he had yet urged, and it was the last of the commercial considerations which he had to suggest. He should next proceed, unwilling as he was to touch upon any political question, on an occasion when he had no wish to excite any political feeling, to say a few words upon certain subjects, which, though they were connected with the politics, were not less connected with the commerce, of the country. He was not prepared to say that the British government ought to exert its influence to procure the immediate independence of South America—by no means: but he was prepared to say that, considering the manner in which the trade of its subjects had increased at Buenos Ayres, where it was liable to no restriction, during the years 1810, 1811, and 1812—considering that since the latter of these periods it had even increased there to a twofold amount, and that similar results had taken place in every other part of that great continent, where British manufactures had been introduced, it was bound by every tie of feeling and of interest to cement the connexion which already subsisted between the inhabitants of the two countries, by the utmost good faith, kindness, and liberality. To cement that connexion would not be a difficult task for this country, as there was none better calculated to inspire the South Americans with sentiments of respect and affection. First, it was a maritime country, able to give them support and assistance whenever they should stand in need of it; secondly, if it repealed the restrictions with which it had guarded its commerce up to the present day, it would stand before them as a country ready to receive their produce on the most favourable terms, and seeking nothing else, in its relation with them than the happiness and prosperity of both parties. And why should they not repeal these restrictions? Their lordships, he was sure, were well aware that, in the year previous to the commencement of the unfortunate war which terminated in the establishment of American independence, our exports to the United States did not amount to more than 3,000,000*l.*; whereas at present they amounted to no less a sum than 30,000,000*l.* Was this great and amazing increase the result of restrictive laws and provisions? Certainly not; it was the result of the increased prosperity and population of those states, and of their becoming, in consequence of it, great consumers of our produce and manufactures. If such had been the case with North America, did not that very circumstance render it still more the interest of the British government to consolidate its friendship with those countries which were desirous of securing its friendship, which, under the odious government from which Spain had recently emancipated itself, had never been opened to us, and which, even under the government which had just succeeded to it, were not likely to be much more accessible? He must also strongly recommend to their lordships, the expediency of using conciliatory measures towards Ireland. If ever there was a people calculated to give employment to capital, and to become great consumers of manufactured goods, it was the people of Ireland. Every exertion made to conciliate them would be repaid a thousand times, and would be productive of great advantage, as there were no countries which, by their relative situation, were better calculated to produce beneficial results to our commercial interests than Ireland and South America. He was not sanguine enough to suppose, that either he or any man could propose an immediate remedy for the existing distress;—but, though he was not very sanguine in his expectations of immediate relief to the present distress of the country, he could not, with the feelings which he entertained regarding British enterprise, British skill, and British ingenuity, abandon the hope of ultimate relief, whilst there was any part of the globe unexplored, or only partially explored, to which our trade could penetrate. Our merchants, if they were now oppressed with the difficulties which he had before described, were not, however, deprived of that high character, that good faith, and that persevering industry, which had always distinguished them. In whatever part of the world they appeared they still maintained their ancient pre-eminence, and thus acquired, wherever they went, a preference over those of other nations. These were his grounds of hope; and on these he looked forward with confidence to the arrival of more favourable times. He had now stated the object of his motion; all that he asked of their lordships was, to consult the genius of their country for that support which was so necessary to renew and invigorate its resources, and to apply to those principles for the preservation of their commerce to which they were indebted for its original prosperity. If their lordships granted a committee, he would go into it with no other spirit than that of doing cautiously what could be done to protect our best interests, and of making an effort to assist the commerce of Great Britain, at a period in which it was exposed to so much embarrassment and adversity. He could assure them, that he had not willingly brought the subject forward, but that it had forced itself through him upon the House, owing to the reluctance exhibited by his majesty's ministers to entertain it. The noble marquis concluded with moving, "That a Select Committee be appointed to inquire into the Means of extending and securing the Foreign Trade of the Country."

The Earl of *Liverpool** rose and said:—My lords; I rise to address your lordships with peculiar satisfaction, after the very able and candid speech of the noble marquis who has just sat down;—a speech which I may say I have heard with the greatest pleasure. Agreeing as I do in the general principles which have been laid down by the noble marquis, and in most of the points to which he has applied those principles, I feel no inclination to oppose the motion, although I certainly do not admit, in an equal degree with the noble marquis, the importance of some of the measures which he has recommended to your lordships' consideration.

The noble marquis has, in my opinion, very properly limited his motion to the consideration of our foreign trade, and of the best means of improving and extending it. It is only by such a limitation of our inquiry that it can be conducted with any prospect of an advantageous result. For, if the proposition were to embrace the wide range of the various interests of the country—agricultural, manufacturing, and commercial,—those interests would be brought into a conflict that must lead to interminable discussion; and, either nothing would be done, or whatever it might be proposed to do, would be postponed to an indefinite period.

At the same time it is impossible for me to consider the question with reference to our foreign trade only. It is impossible for me to take a view of the state of the country, with reference to our foreign trade, without also considering our internal trade. It is impossible for me to advert to the impracticability of doing many things, under the present circumstances of the country, which it might be very desirable to do, under other circumstances, without considering what is our domestic situation at this time. In entering on the present discussion, this observation appears to me to be very material—not with respect to the proposed inquiry, for that I have already declared appears to me to be very properly limited, but with a view to a thorough comprehension of the whole subject,—that we should consider why, although we acknowledge that there are other circumstances in our general situation which demand our serious attention, we should not extend that inquiry beyond the bounds of the noble marquis's motion. This is due in justice to myself, and to those with whom I have the honour to act. The interests connected with our foreign trade are highly important, but I should be deceiving your lordships and the country, were I to say that they are, the most important interests to the nation. When I look at the petitions which are pouring in upon us, not only from the merchants and ship-owners, but from the agriculturists and manufacturers throughout the kingdom, I feel bound to state the reasons, not only why I am not in favour of a more extensive inquiry than that proposed by the noble marquis, but why, in the official situation which I have the honour to hold, I did not myself propose such an inquiry.

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Undoubtedly, if I were of opinion that a more general inquiry would be beneficial, I should have thought it my duty to recommend it to your lordships. I entirely agree with the noble marquis, that there can be no mistake so prejudicial, or so calculated to lead to unfortunate results, as to suppose, that the great interests of the country, the agricultural, the manufacturing, and the commercial interests, can ever justly be set at variance with each other.—I entirely agree with the noble marquis, that any attempt to legislate in favour of one of those interests, to the exclusion of the others, would be most destructive to the whole.—I entirely agree with the noble marquis, that they must stand or fall together; that the strength of the one will prove the strength of the others, and that the distress of the one will occasion the distress of the others. I cannot, therefore, but regret, that in any of the petitions which have been laid on your lordships table, there should appear a disposition to separate the interests of the one from the interests of the others, and to represent them as at variance, and as capable of being separately benefited. The more the subject is sifted and examined, the more I am convinced it will be found—that, as, on the one hand, the agriculture of the country is the basis of its power and wealth; so, on the other hand, agriculture would not be what it now is,—the fortunes of those who have profited by it, would not be what they now are, had not agriculture been fostered by manufactures and commerce, and received the most important advantages from the spirit and industry of those engaged in manufacturing and commercial pursuits.

This therefore is the proposition with which I must set out;—that all the great interests of the country are intimately and inseparably connected; and that while on the one hand, what is for the benefit of the one, must be beneficial to the rest; on the other hand, any attempt exclusively to favour the one, must be prejudicial to all. With this general view of the subject, I feel that the principal points to which I ought to address myself, are, to endeavour to ascertain what is the actual situation of the country with regard to its internal as well as with regard to its foreign concerns; to endeavour to ascertain, from authentic documents, what is the condition of the various great interests to which I have already alluded; to probe the causes of the distress to which those interests are at present subject; and, lastly, to examine whether any, and, if any, what legislative measures can be adopted to relieve them.

There is one consideration, however, which I confess appears to me to be of the utmost importance at this time. With every disposition to do complete justice to the noble marquis's object, and agreeing in most of his positions, it nevertheless appears to me to be as essential that your lordships should decide what you will not do as that you should decide what you will do; for it is utterly impossible that the country can settle into the tranquil state so desirable, while men's minds are afloat, and kept in a state of perpetual ferment and uncertainty with respect to the line of proceeding that parliament may adopt. The sooner therefore that this is determined, the sooner will the various interests in society harmonize, the sooner will business be restored to its proper level, and the pursuits of industry assume an aspect of ascertained, if not of contented exertion.

The first point then to which I wish to draw your lordships attention is, the state of our internal commerce. It is material to consider whether the distressed state of that commerce has grown out of any diminution in our internal consumption, or has arisen from circumstances connected with our foreign trade. I trust, that I shall very shortly be able to satisfy the House, that there is no ground for believing that any part of the distress which pervades our internal commerce, has arisen from a reduction in the use of any of the great articles of consumption. I know but of one of those articles, the consumption of which has been materially reduced,—I mean that of wine.

I have taken some pains to ascertain the actual and comparative state of our home consumption; and in doing so, I have thought it better to look at the amount in quantity, rather than in value; the value being liable, from taxation and other causes, to fluctuate; while the quantity is a surer criterion, for determining the increase or the decrease of consumption.

I hold in my hand an account of the home consumption, during the last four years, of the principal articles, on which the duties of last year were imposed; which, if it be your lordships pleasure, I will lay on the table, or submit to a committee, should a committee be appointed.—The fair way of considering the subject is, to compare the average consumption of the three years, ending the 5th April, 1817, 1818, and 1819, with the actual consumption of the year ending the 5th April, 1820.—If we look at the article of tea (which, next to bread, is the article of most general use amongst all classes of the nation (we shall find that the average consumption of the years ending the 5th of April, 1817, 1818, and 1819, was 21,650,870 lbs., and that the consumption from the 5th of April, 1819, to the 5th of April, 1820, was 22,332,117 lbs., being some increase. In the article of coffee, the average consumption of the three years was 7,523,583 lbs., and the consumption of the last year, 7,358,856 lbs., being a small diminution. In the article of tobacco, the average consumption of the three years was 11,967,711 lbs., and the consumption of the last year, 11,175,917 lbs., being, I must admit, no inconsiderable diminution. In the article of malt, the average consumption of the three years, was 22,130,278 bushels, and the consumption of the last year 23,971,387 bushels, being an increase of above 1,800,000 bushels. In the article of spirits, the average consumption of the three years, was 5,173,755 gallons, and the consumption of the last year was 4,801,937 gallons, being a diminution of about 361,000 gallons. But then it is necessary to add, that during the last year the consumption of foreign spirits has been considerably greater than it was during the three preceding years. It is proper that I should observe to your lordships, that the whole of these accounts have reference to the consumption of Great Britain only.

In this view of the comparative consumption of the different periods which I have described, there can be no fallacy. It has been taken on the quantity of the articles consumed, as a more fair criterion than their official value; it has been taken with the view of comparing the actual consumption of the last year with the average consumption of the three years immediately preceding; and the result of that comparison is, that, during the last year there has not only been no diminution, but, on the contrary, some increase in the home consumption. The same may be said with regard to other articles respecting which it has not been practicable to obtain a return of the quantity consumed, but only of the amount of the duties. Upon those articles on which there has been no increase of taxation, and which are consumed by all classes of the community, such as candles, paper, hides, skins, soap, salt, bricks and tiles, &c. the result is the same as with respect to the articles which I before specified. In some, there has been a trifling decrease; in others, there has been an increase; but, on the whole, they confirm the general position, that in the internal consumption of the country there has been no diminution. This fact, as far as it goes, is a subject for unqualified satisfaction; since it shows that in our main resource, that in what depends on ourselves, there has been no falling off: whatever local distress may therefore exist in the country, this is a sure proof that our general wealth has not declined; for if such decline or defalcation had taken place to any extent, it must have been accompanied by a decrease in the use of the great articles of our domestic consumption.

Having considered the internal commerce of the country, I come now to the consideration of our foreign trade, and particularly of the exportation of British produce and manufactures. And here, I lament to say, a great falling off appears to have taken place in the last, as compared with the preceding year. The declared value of British and Irish produce and manufactures exported in the year 1818, amounted to 48,903,760*l.*, the declared value of British and Irish produce and manufactures exported in the year 1819, amounted only to 37,939,506*l.*; being a diminution to the considerable amount of about eleven millions. But then it ought to be recollected, that the year 1818 was one of extraordinary exportation; and that great and over-strained efforts were made in that year in various branches of our industry and commerce. It will therefore be a fairer proceeding, if we form our estimate of the diminution of our foreign trade, by comparing the average exports of the three years, 1816, 1817, and 1818, with the actual exports of last year. It appears that the average exports of the years 1816, 1817, and 1818, amounted to 45,161,756*l.*; thus exhibiting a deficiency in the exports of last year, as compared with the average exports of the three preceding years, of about 7,220,000*l.* This is undoubtedly a great falling off:—and the question which naturally suggests itself is,—What are the branches in which this falling off has principally taken place? But before I proceed to that part of the subject, it is material that your lordships should consider what was the extent of our foreign trade, antecedently to the late war, and also during those years of the war in which it was most flourishing.

In stating these returns, I must refer to the official value of the exports, not to the declared value as in the returns I have just quoted; because the returns, according to the declared value, were not made up during the earlier part of this period. Prior to the French war, the foreign trade of this country was in its most flourishing condition, in the year 1792. The official value of all our exports in that year was 24,905,200*l.*; of which sum the British manufactures and produce amounted to 18,336,000*l.* In the years 1806, 1807, 1808, 1809, 1810, and 1811, which were the years of the war in which our foreign commerce was in its most flourishing state, the official value of our exports of British produce and manufactures, was—in the year ending the 5th of January, 1806, 25,000,000*l.* (I will, to save your lordships' time, state the sums in round numbers); in 1807, 27,000,000*l.*; — in 1808, 25,190,000*l.*; —in 1809, 26,000,000*l.*; —in 1810, 35,000,000*l.*; and in 1811, 34,900,000*l.* Those, as I have already observed, were the years of the war during which our foreign commerce was in the greatest activity. The official value of the exports, in the year ending the 5th January, 1820, was 35,625,673*l.* This, however, I only mention by way of showing that the diminution has not been below that which was formerly considered as a condition of the greatest prosperity;—admitting as I must that our foreign commerce has, during the last year, suffered a very material diminution, when compared with the years immediately preceding.

The first question for our consideration is—In what branch of our foreign trade has this diminution principally taken place? It does not appear that there has been much diminution in our European trade. As compared with the average of the three preceding years, the diminution in our exports to the continent of Europe, during the last year, does not exceed 1,200,000*l.* Of this diminution, more than a half has occurred in the article of refined sugars; a trade which may be in a great measure considered as lost to us; as, since the opening of the West India colonies belonging to other states, and of the Brazils, in consequence of the restoration of peace, the continental countries have of course become less dependent upon this country for this article of consumption. The falling off in the export of British produce and manufactures to the continent, does not therefore exceed 600,000*l.* With respect to Ireland, I am happy to say that our trade with that country is increasing. One great branch of the diminution which our foreign commerce has experienced within the last year (and which was touched upon by the noble marquis in the course of his observations), is to be traced to the state of the East India market. For two or three preceding years, our trade with the East Indies had been pushed to an enormous extent;—to an extent which it was impossible that any rational man could expect would be permanent. The other, and the chief cause of the diminution, is the decrease of our trade with the United States of America. If your lordships compare the exports to the United States of America, during the last year, with the exports during the preceding year, you will find that in all the great articles of our industry and commerce, the diminution has been a full half. In 1818, the exportation of cotton goods to the United States of America, amounted to 2,432,301*l.* —in 1819, it amounted only to 1,109,138*l.*; being a falling off of 1,323,163*l.* The exports of glass, earthenware, hardware, and cutlery, which, in the year 1818, were 971,285*l.*, were reduced in the year 1819 to 546,741*l.* The amount of woollen goods exported to the United States of America in 1818, was 3,160,406*l.*; in 1819, it dwindled down to 1,703,024*l.* In short, in all the great and leading branches of our manufactures, there was a falling off in our exports to the United States of America of a full half in the amount, as compared with the last year; and of above 3,500,000*l.*, as compared with the average of our exports during the last three years. I allow that there has been some diminution in our exports to the East Indies; but it is to the state of the American market that the great diminution which has occurred in the export of our produce and manufactures is principally, if not exclusively, attributable.

This leads me to the consideration of the cause of this diminution, and of the present condition of the United States of America. The noble marquis, in laying his grounds for the motion which he has submitted to your lordships, made several observations on the present state of trade in this country, the truth of which I am by no means disposed to deny. I am as ready as any man to acknowledge that certain branches of our trade are in a depressed state. The noble marquis also truly says, that distress is not confined to this country; but that it afflicts every country in Europe, and has even extended itself to America. The noble marquis also truly says, that this general distress is to be ascribed to the extraordinary convulsions in Europe during the last twenty years; convulsions which unhinged all the natural relations between nation and nation, and even between man and man; convulsions which have produced the most extensive effects both on nations and individuals. Unquestionably, it was impossible but that the instability of property, the creation of fictitious capital, and all the other evils which arose during those convulsions, should operate in the production of great distress in every country, long after the re-establishment of peace should have caused the convulsions themselves to cease.—But the peculiar circumstance of the times—that to which I wish particularly to direct the attention of your lordships and of the whole kingdom is this,—that, great as the distress is in every country in Europe, (and certainly it prevails more or less in every country in Europe), it is, nevertheless, at the present moment greater in the United States of America than it is in any country in Europe. I desire any of your lordships, or any other individuals who may be disposed to ascribe the distress under which we at present labour, to our debt, to excessive taxation, to tithes, to the poor-rates, or to any cause of that nature, to look at the United States of America; and I think that they will then pause before they ascribe the distress which we, or any of the other countries of Europe are now suffering, exclusively or principally, to any or all the causes which I have mentioned.

My lords, there is no mystery in this. I have, on a former occasion, made some general observations on the subject. There is no mystery in the cause of the existing distress in the United States of America. That distress cannot proceed from any war in which the United States have been engaged; for, during the last thirty-five years, America has been at war only during two years. Nevertheless, she has felt the effect of the wars, which during the greatest part of that period have raged in every other quarter of the globe. But how has she felt it? During the whole of the late war, America was the principal neutral power. During a part of that war she was the only neutral power. She enjoyed the most extensive carrying trade. She supplied this country, and she supplied other countries with many articles, which, neither this country, nor other countries could at the time obtain elsewhere. What was the natural consequence? That America increased in wealth, in commerce, in arts, in population, in strength, more rapidly than any nation ever before increased, in the history of the world. In twenty years, the United States of America made a greater progress than the same nation, in the ordinary and natural course of affairs, could have accomplished in forty years. But now all the world is at peace. Every country, at leisure to attend to its own condition, is diligently cultivating its domestic arts and industry. The state of America, my lords, at this moment is not so much the effect of present positive distress, as of extraordinary past prosperity. She must retrograde to a certain point. It is the result of former advantages which America exclusively enjoyed, which she must now reimburse (if I may use the expression) until she has returned to that which is her natural condition. I am far from saying this invidiously.—On former occasions I have sufficiently shown my conviction, that there is no country more interested than England is, that the distress of America should cease, and that she should be enabled to continue that rapid progress which has been for a time interrupted; for, of all the powers on the face of the earth, America is the one whose increasing population and immense territory furnish the best prospect of a ready market for British produce and manufactures. Every man, therefore, who wishes prosperity to England, must wish prosperity to America. I have stated these facts, in order that the House may see the truth, and the whole truth on this important subject;—that it may not ascribe our distress to causes which it is not principally attributable; that it may be aware that we are only enduring a fate common to all; to that nation which has been at peace as well as to those nations which have been at war; to that country which has enjoyed the benefits of neutral traffic, as well as to those countries which have been deprived of it; to the United States of America, as well as to the various states of Europe. I have stated these facts to show, that the distress which has fallen, not upon one or two countries, but upon the whole world, is the result of those political convulsions, which it is not now the question, whether or not human policy and wisdom might have prevented; but the effects of which, it is the question, how far human policy and wisdom may mitigate? I have stated these facts to show, that I do not see any thing in our internal situation, up to the present hour, which exhibits a decrease in our domestic commerce and resources. I have stated these facts to show, that there is no ground to believe, that there has been any material diminution in our European trade; and that, if there has been any diminution in our Asiatic trade, it is the result of over-speculation, an evil which will naturally cure itself. I have stated these facts to show the nature of the distress at present existing, and that it can be remedied by time alone. If, my lords, we were to adopt any rash measure, for the purpose of satisfying a temporary clamour, the only effect of such a proceeding would be, to continue, if not to perpetuate the evil. In a question of this nature nothing can be more dangerous than to listen to the remonstrances and solicitations of parties likely to be affected by the measures they disapprove, or recommend. If the people of the world are poor, no legislative interposition can make them do that which they would do if they were rich. If the general pressure is so great that our manufacturers are limited in their sale, our manufacturers must wait with patience until the supply and the demand adjust themselves to each other. Above all, my lords, we must not attempt by artificial means to remedy distress, which such means are always calculated to aggravate and extend.

Having completed what I wished to say respecting the general state of the country, I come to that which is the more immediate subject of your lordships' consideration—a practical view of our situation with respect to foreign commerce. The noble marquis very properly grounded his motion on the general principle—(a general principle, which, however, he was too much of a statesman not to qualify)—of the great advantage resulting from unrestricted freedom of trade. Of the soundness of that general principle, I can entertain no doubt I can entertain no doubt of what would have been the great advantages to the civilized world, if the system of unrestricted trade had been acted upon by every nation, from the earliest period of its commercial intercourse with its neighbours. If to those advantages there could have been any exceptions, I am persuaded that they would have been but few; and I am also persuaded, that the cases to which they would have referred, would not have been in themselves connected with the trade and commerce of England. But, my lords, we are now in a situation in which—I will not say, that a reference to the principle of unrestricted trade can be of no use, because such a reference may correct erroneous reasoning—but in which it is impossible for us, or for any country in the world, but the United States of America, to act unreservedly on that principle. The commercial regulations of the European world have been long established, and cannot suddenly be departed from.

And here I must be allowed to remark, that the only point in the noble marquis's speech in which he did not seem to me to bring the whole subject before your lordships, was, his abstaining from saying any thing of the state of our laws respecting agriculture, as those laws are connected with the very important subject of our foreign trade. If we look to the general principle of freedom of trade, let us at the same time look to the state of our laws as they regard agricultural produce. Let us look to our absolute prohibition of the importation of a great part of foreign agricultuaal produce, and our heavy restrictions on the remainder. Let us look to our corn laws; to our laws respecting the importation of cattle; to our laws regarding the exportation and importation of wool; in short, to all the laws for the protection of our own agricultural interest. Under the operation of these laws we cannot go to foreign countries on the principle of reciprocal advantage. We will not receive their corn, or their cattle. With the exception of wine, and some other articles, we will not take what they most wish to give us. With what propriety may not those countries say to us,—"if you talk so big of the advantages of free commerce; if you value so highly the doctrines of your Adam Smith, shew your sincerity and your justice by the establishment of a reciprocal intercourse. Admit our agricultural produce, and we will admit your manufactures."—Your lordships know that it would be impossible to accede to such a proposition. We have risen to our present greatness under a different system. Some suppose that we have risen in consequence of that system. Others, of whom I am one, believe that we have risen in spite of that system. But whichever of these hypotheses be true, certain it is that we have risen under a very different system than that of free and unrestricted trade. It is utterly impossible, with our debt and taxation, even if they were but half their existing amount, that we can suddenly adopt the system of free trade. To do so, would be to unhinge the whole property of the country; to make a change in the value of every man's possessions, and in none more so than in those of the agriculturist—the very basis of our opulence and power.

This brings me to a question which, though not immediately connected with the subject of the noble marquis's motion, has so great a bearing upon it, that I should not discharge my duty on this occasion without adverting to it;—I mean the question of the corn laws. I was one of those who, in the year 1815, advocated the Corn bill. In common with all the supporters of that measure, I believed that it was expedient to grant an additional protection to the agriculturist. I thought that, after the peculiar situation of this country, during a war of twenty years, enjoying a monopoly in some branches of trade, although excluded from others; after the unlimited extent to which speculation in agriculture had been for many years carried, and considering the low comparative price of agricultural produce in most of the countries of Europe; the landed property of the country would be subjected to very considerable inconvenience and distress, if some further legislative protection were not afforded to it. I thought the Corn bill was advisable, with a view of preventing that convulsion in landed property, which a change from such a war to such a peace, might otherwise produce. On that ground, I supported the corn-bill. During the discussion of that question, I recollect that several persons were desirous of instituting a long previous inquiry; and that others, still more erroneously, wished to wait for two or three years, to see how things would turn out, before they meddled with the subject. At that time I told those who maintained the latter opinion, that it appeared to me to be a most mistaken one. What I recommended was—to pass the Corn bill (and thus to give a further, and under the circumstances I thought, a proper protection to agriculture); but I delivered it as my opinion, that if it was not passed then, it ought not to be passed at all; and upon this ground, which, whether it be wise or not, is at least intelligible—that I could conceive a case in which it might be expedient to give a further protection to the agriculturist, but that I was persuaded that the worst course which it was possible for the legislature to adopt, was, to hang the question up in doubt and uncertainty; that the consequence of not legislating at all, would be, that rents would fall,—that a compromise would take place between the owners and occupiers of land,—that the landlord and the tenant would make a new bargain,—and that if, after all the distress incident to such changes had passed away, a new Corn bill should be agreed to, it would be most unequal and unjust in its operation. I contended that parliament owed it to the interests of all—to the interests of the landlord,—to the interests of the tenant,—to the interests of the whole community—whether it decided to legislate on the subject or not, at least to decide;—to adopt a steady course; to attend to all the circumstances of that eventful period, and then to adhere with undeviating determination to whatever line of conduct its sense of public duty might prescribe.—Such would have been my feeling had the Corn bill been lost. In that case I would never again have promoted it.

Much more is it my feeling under existing circumstances, the corn-bill having been adopted. Whatever may be the distress under which agriculture labours, I am convinced that there are no such certain means of aggravating that distress as perpetually to tamper with it by the adoption of new measures and new laws. Whatever may be the system adopted, let it be adhered to. Let the farmer and the tenant, let the buyer and the seller, know that it will be adhered to; and they will soon come to some arrangement for their mutual advantage.

Having said so much on the general principle, I wish to say a few words on some of the particular propositions which have been made on this subject. The principle of protection of our corn laws has been considered by some of the petitioners to parliament as too refined; and it has been proposed to get rid of the existing system altogether, by the substitution of a fixed duty on the importation of foreign corn. A proposition such as this, is as absurd as it is unjust. The present system of our corn laws is, as I understand it, founded in theory at least on the just and equitable principle of, on the one hand, affording protection to the agriculturist (and through him to the rest of the community) against so extreme a low price as that at which it may be supposed he cannot be capable, with any profit, of raising the commodity; but, on the other hand, of allowing the consumer to resort to the foreign market, whenever the price of corn shall exceed a certain prescribed sum. But let your lordships consider for a moment what would be the effect in a country subject to occasional scarcity like this, if the existing system of protection were abolished, and a fixed duty, such as I have described, were substituted. If the price of corn were very low, that duty would afford no adequate protection to the agriculturist. If, on the contrary, the price of corn should be very high, your lordships will immediately perceive how injuriously a fixed duty would operate on the subsistence of the people. Should corn, for instance, rise to the price of a hundred and twenty, or a hundred and thirty shillings a quarter, at which price the quartern loaf would be at two shillings or half a crown, the poor man, under such circumstances, would be called upon to pay an addition in the shape of duty, to the amount of twenty, or forty, shillings a quarter! No man can rationally contemplate the adoption of such a proposition. It would be of no use to the farmer in times of plenty; and in times of scarcity it could have no effect; for what government would venture to enforce it upon the people? The minister, whoever he might be, would be forced to come down to parliament to propose to repeal it.

My lords, I have looked most anxiously to the manner in which the Corn bill has worked. Not, I confess, that (for the reasons I have already stated) it would have made any difference in my present opinion on the subject, if it had not worked as it has done. The importing price —the price to which wheat must rise in this country, before it is permitted to introduce foreign wheat—was fixed by the Corn bill at eighty shillings a quarter. I remember that during the progress of that bill in parliament, there was a good deal of discussion on the probable effect of fixing the importing price at that sum. Several of those who opposed the measure, declared that eighty shillings would, in consequence, be always the *minimum;* and that wheat would never be sold under that price in this country. We, on the contrary, who supported the measure, maintained that it would be much nearer the *maximum*. And what has been the result? That on the average of the five years which have elapsed, since the passing of the Corn bill, the price of wheat has been about seventy-eight shillings a quarter. It appears from the returns, that the average price of wheat from the 5th of January, 1815, to the 5th of January, 1820, has been seventy-eight shillings and five-pence a quarter; the average price of barley (the importing price of which was fixed at forty shillings) forty-two shillings and five-pence a quarter; and the average price of oats, twenty-eight shillings and four-pence a quarter. Even on this statement, I have a right to ask, whether there is any ground for contending that the Corn bill has not operated fairly for the agriculturists, and with the effect that was anticipated by its supporters? Undoubtedly, there have been high years, and there have been low years, in the course of the period to which I have alluded; but the average is what we must look to; and it is upon a price rather below that average, and certainly not above it, that every provident cultivator of the soil will make his calculation, in determining the rent and value of land, with reference to the growth of corn. But it is important, also, with a view to estimate the true operation of the Corn laws, to examine what has been their effect with regard to the importation of foreign corn for home consumption. From the account of the last five years, it appears that the quantity of foreign wheat and wheat flower imported has been 3,483,675 quarters. Of this quantity there are, at this moment, 324,546 quarters actually warehoused. Again, we must deduct 770,437 quarters, which have been re-exported; which leaves 2,388,692 quarters, as the amount of foreign corn that, during the period which I have described, has been really consumed in this country. Is it possible that the average of this quantity, amounting to 477,738 quarters, thrown annually into consumption, can have produced any distressing effect on the interests of agriculture? It is contended by some persons, that fraud exists in the taking of the averages. If this be so—which I by no means admit—it may be, and ought to be corrected. There is a power to correct it by the existing laws. If the parties who are interested in the subject, will only employ proper inspectors, taking care that they are properly remunerated, they have in their own hands the means of reforming this abuse, if it really exists. If the existing laws in this respect should be found insufficient, you may then come to parliament for new powers for this limited object. But I must decidedly object to any alteration in the principle of taking the averages. This subject was much considered in the year 1815, when it underwent ample discussion; and the benefit of adhering to the system then established of taking the averages, ought not to be sacrificed on light grounds. The importing price of eighty shillings a quarter, was fixed in 1815, with reference to the existing mode of taking the averages; and I am persuaded that it would not be easy to devise a better mode. The former protecting price was sixty-six shillings, ascertained in the same mode. When, therefore, eighty shillings became the protecting price, it was a protection to be ascertained by the same criterion as the former price of sixty-six shillings; and I am convinced that great confusion would ensue, if the mode of taking the average, with the operation and effect of which parliament, at the time they so fixed the importing price at eighty shillings, were well acquainted, were now to be altered. I strongly recommend, therefore, that there should be no change in the principle of taking the average; but that, if any fraud exists in the administration of that mode, it should be corrected, as it may be corrected, by the existing laws, or even by new laws, if those that exist are not sufficient for the purpose. Some persons have objected to the introduction of the Welsh counties into the averages; but I am sure that their exclusion would be as often unfavourable, as beneficial to the English grower. On the whole, my lords, I am thoroughly persuaded that there are the strongest reasons why we should do nothing on the subject of the Corn laws, and that it is for the advantage even of the agricultural interest itself, that nothing should be done.

My lords, I have dwelt long upon this topic, because it is one which has a bearing upon every other now under our consideration; and because it is of great moment, that the opinion of parliament upon it should be decided. But there is another subject of equal importance, upon which I feel it necessary to make a few remarks—I mean the state of our currency. I most strongly deprecate any alteration by parliament in the state of our currency, as it was last settled by the legislature. It is, I know, said by some that the effect of that arrangement has been injurious; and that it has considerably aggravated the public distress. With great respect for the individuals who entertain that notion, I must say, that I am of a different opinion.—In the first place, if any inference is drawn, to the discredit of that arrangement, or for the purpose of showing, that prices in general have declined in consequence of it, from the present price of corn, I will refer to the fact, that in the year 1815, the price of corn was lower than it is at present, while that of gold was 4*l.* 4*s.* the ounce, instead of 3*l.* 17*s.* 10½*d.* But, if the state of our currency has affected one branch of our agricultural produce, it ought to have affected all branches of it; and yet we find that the price of cattle, during the last year, was as high as at most former periods, and as could be desired by the land-owner. I do not believe, therefore, that the arrangements, with respect to our currency, have had the effect which some persons have imputed to them. But even if I believed that those arrangements had really had an effect so injurious, I would say, as I said on the last subject to which

I called your lordships attention,—"You have done the thing. The evil has been endured. You cannot retread your steps without incurring much greater dangers than those from which you wish to escape."—I will go further.—No man was a greater supporter of the restrictions on cash payments by the Bank of England, during the war, than myself. I supported the continuance of that measure, because I was persuaded that we could never have got through the arduous contest in which we were engaged,—that we could never have made the mighty struggle which we did make, without it. But, my lords, I always considered, that the expediency of that measure was limited to the duration of the war, and its immediate consequences; and that on the restoration of peace, we ought, as soon as practicable, to return to the ancient system of metallic currency, or paper convertible on demand into coin. I acknowledge that I saw great difficulties in the way of that return; but it always appeared to me, that they were difficulties which a few years of peace would enable us to overcome. The facilities which the restriction gave us, were, unquestionably, accompanied by many evils. During the war, it was expedient to endure the evils, in consideration of the good; but in a time of peace they possess no such compensation. What, indeed, can the restriction in time of peace produce, but the creation and extension of fictitious capital, and of an appearance of prosperous trade, without the reality; evils which, having already so deeply affected us, ought not to be permitted to recur? My lords, I am sanguine enough to believe that this country has in a great measure got over its difficulties:—I am sanguine enough to believe, that the general distress will speedily be mitigated: —I am sanguine enough to believe, that our export trade will soon revive; and that our looms, and our spinning-jennies, and every other description of our machinery, will shortly be greatly employed. But that which I know alarms many men —and, men of great practical experience on these matters,—is, that we may be subject to the danger of a periodical revulsion of the same nature every three or four years; and I am persuaded, that any recurrence to a system by which fictitious capitals might be again created and extended, must be attended with the most injurious consequences. The powers of machinery would be again over-strained —the markets would be again glutted, and all those violent fluctuations, which have already produced so much misery, would again be experienced. I am, therefore, unequivocally of opinion, that, as on the question of the corn laws, there ought to be no alteration of our policy; so neither ought there to be any alteration of our policy on the subject of our currency. It seems to me to be of the utmost importance, that the public and the world should understand; that our own people, and that foreign nations, and foreign merchants, should understand, that we are acting on a fixed system, in order that they may know that to which they have to look, and that they may not entertain any apprehension, that we may be induced to tamper with our existing arrangements, for the purpose of meeting any occasional evil, or of pacifying the clamour of any particular class of the community.

I now come to the consideration of subjects more immediately connected with the noble marquis's motion. I have already stated what are the difficulties that stand in the way of adopting the general principles laid down in the petitions which have been presented to your lordships by the merchants of this country, of whom, however, it is but justice to say, that I do not imagine they have any notion that those principles can be acted upon to their full extent.—Although many of those individuals disapproved of the Corn bill at the time that it was proposed, yet, now that it has passed into a law, and that it has been so long in operation, I know that they do not think that it would be just or expedient to make any alteration in that system, for the sake of extending our trade. This is an admission which ought to be maturely weighed by the agriculturists. If those, who are most interested in the freedom and extension of commerce, are satisfied that the protection which agriculture receives, should remain as it is, surely the agriculturist ought not to desire any increase of that protection. But it is not to the corn laws alone that our system of protection has been confined. Protecting duties have been likewise imposed for the protection of several branches of our manufactures. Unquestionably, the principle of protection is carried as far in this country as in most other countries of the world; but it is a fallacy to suppose, that absolute freedom of trade can now be established. As it regards some articles, our present system may perhaps be relaxed without much inconvenience; but not as it regards all. I remember it was argued when the Corn bill was under discussion; that, with respect to some articles, time, and the change of circumstances, had rendered the system of protecting duties merely a nominal protection. This may be true, with reference to several branches of our manufactures; but it is not true with reference to others. The cotton manufacture, for instance, in which we have acquired so great a superiority over other nations, need not fear any thing from an abolition of all protection. I believe also—although the woollen manufacturers are not of that opinion—that if all the protecting laws which regard the woollen manufacture were to be repealed, no injurious effect would thereby be occasioned. But with respect to silk, that manufacture in this kingdom is so completely artificial, that any attempt to introduce the principles of free trade with reference to it, might put an end to it altogether. I allow that the silk manufacture is not natural to this country; I wish we had never had a silk manufactory; I allow that it is natural to France; I allow that it might have been better had each country adhered exclusively to that manufacture in which each is superior; and had the silks of France been exchanged for British cottons.—But I must look at things as they are; and when I consider the extent of capital, and the immense population (consisting I believe of above 50,000 persons) engaged in our silk manufacture, I can only say, that one of the few points in the noble marquis's speech in which I totally disagree with him, is the expediency, under existing circumstances, of holding out any idea that it would be possible to relinquish the silk manufacture, and to provide for those who live by it, by parliamentary enactment.

Whatever objections there may be to the continuance of the protecting system, I repeat that it is impossible altogether to relinquish it. I may regret that the system was ever commenced; but as I cannot recall that act, I must submit to the inconvenience by which it is attended, rather than expose the country to evils of much greater magnitude. Then, as to our linen manufacture, are your lordships aware of the effect which would be produced on the linen manufacture of Ireland, by a repeal of all the duties on the importation of foreign linen? When I contemplate the advantage which Ireland derives from her linen manufacture, I am startled at the suggestion of such a measure. I may regret, that those protecting duties which have brought about so artificial a state of commerce were originally imposed; but it is not because a thing has been wrongly done, that it may therefore be undone. The linen manufacture is too intimately blended and mixed up with the capital, and habits, and prejudices of the population of Ireland, to allow us to doubt that any measure subversive of it would destroy the peace and tranquillity of the most prosperous part of that country. I must pause, therefore, before I can consent to any alteration in our protecting system by which a great, immediate, and positive evil may be incurred, however clear and incontrovertible the general abstract principle on which that alteration may be recommended.

With regard to absolute prohibitions, I allow that it may be desirable to submit to the consideration of a committee the expediency of getting rid of such prohibitions,—at least, as nearly as possible. But I would not lead the public to suppose, that much benefit can be derived from the change; because, in many of the cases where the prohibition is abolished, protecting duties must be proposed of so high a description as to be almost tantamount to prohibition. Still, however, I admit that the moral effect of abolishing prohibition will be good. To prohibit by law the introduction of any article, which, after all, cannot be kept out of the country, has a very pernicious tendency. When an article is prohibited, there are many persons who deem it necessary to have it on that very account. When there are individuals in the country who do not mind what they pay for a prohibited article, there will always be others who will not mind what risk they run for the purpose of gratifying them; and it is unwise and unjustifiable on the part of the legislature to create so strong a temptation for the violation of the laws. I am therefore desirous that we should investigate the practicability of getting rid of the prohibitory system; because, I am persuaded that its abolition would be morally advantageous; although I am at the same time of opinion that it would be productive of no very material advantage as respects the increase of our manufactures and trade.

I proceed to some of the other propositions comprehended in the noble marquis's speech. To the general motion, I have already said that I entertain no objection whatever. I think the objects of that motion perfectly fair. The only difference between the noble marquis and myself is, that I do not set so high a value on the results which the noble marquis expects from the investigation, as he does. At the same time, I, for one, am most willing that we should see what can be done for the relief of our foreign trade; and, if we find that nothing can be done, distinctly to say so.

The first point, and in which I completely coincide with the noble marquis, is, the benefit that would follow such an extension of our warehousing system, as might make this country the general *entrepôt* of commerce. The policy of that system originated with Mr. Pitt; and it was always his plan to extend it, as rapidly indeed as it could be connected with arrangements which could give security to the revenue. The warehousing system, gradually growing to its present height, now forms a very important branch of our commerce: and I entirely agree with the noble marquis, that it would be wise to inquire how far it may admit of revision and extension. With respect to the transit duties, also, I agree with the noble marquis. I cannot see any grounds for their continuance, any more than I can for their having been originally imposed. I cannot discover any reason why goods should not come and go, free of duty; or, at most, with a very moderate impost; in order to make this country as great an emporium of commerce as possible. When, a few years ago, an attempt was made to get rid of these duties, that attempt was successfully resisted on grounds which were very fallacious; but even those fallacious grounds have since disappeared. At that time it was maintained that, as we were nearly the only carriers in the world, we had the power in our own hands; and that the rest of the world could get many goods only from us. In this argument there was then much of delusion. But our present situation is very different. We are no longer the exclusive carriers of Europe; and therefore I am at a loss to conceive on what principle the shipping interest of this country should not enjoy all the advantages which the shipping interest of any other country enjoys in the carrying trade.

Another point to which the noble marquis has called your lordships attention, is the duty on foreign timber. I can see no objection to referring the consideration of this subject to a committee; but I apprehend the noble marquis is a little mistaken in his view of the origin of these duties. There are a few circumstances connected with the history of them, which it may be necessary to recall to the recollection of the House, and of which I will take leave shortly to remind your lordships. When in the year 1809, we were shut out from all trade to the continent, and were likely to experience a great want of timber, which would of course have affected our general shipping interest, and which, as it respected our navy, became extremely alarming, the attention of government was naturally directed to the means of averting so serious a national calamity. Communications on the subject were in consequence had with several merchants; and they engaged, in consideration of a protecting duty which was promised to them, to embark their capital in the transport and carriage of American timber to this country. Such was the origin of the protecting duty. The duty was originally proposed, not for the purposes of revenue, but to induce certain merchants to embark in a new trade. It was, nevertheless, a temporary measure; and I perfectly agree with the noble marquis, that at the time of its adoption, any positive assurance of its continuance was refused. A subsequent duty was certainly laid on in the year 1815 (and I believe a smaller one before) for the purpose of revenue; and it is quite clear, that to the continuance of the duty so laid for revenue; the American merchant can have no claim whatever; but that it may be abrogated without difficulty. Two or three years ago, when strong representations on the subject were made to the board of trade, by the ship owners, for perpetuating the duty, their application was refused; and they were told, that after the 20th of March, 1821, the duties would be an open question for parliament to deal with, as in its wisdom it might think proper. The continuance of the duty, which was imposed for the purpose of revenue, the merchants have no right to expect; but as large capitals are embarked in the trade, it may be a question whether certain of the protecting duties should not be continued, at least for a further term. Without, however, giving any opinion as to the precise course which it is adviseable to pursue—whether the object can be best attained by partly lowering the duty on timber from the Baltic, or by imposing a countervailing duty on the timber from North America;—I entirely agree with the noble marquis, that the question is fully open to the consideration of parliament; and that it is one which ought to be submitted to the investigation of the committee, which the noble marquis proposes to appoint; by which I have no doubt it will be entered upon with a due regard to the interests of the parties more immediately concerned, as well as to the broader and more general interests of the country at large.

The next point of our foreign commerce which was adverted to by the noble marquis, is our trade in wine. I am perfectly aware that the treaty with Portugal, concluded at the commencement of the last century, and called the Methuen treaty, which, at the time of its conclusion was considered to be one of the greatest master-pieces and monuments of political wisdom, and which was negotiated by one of our most able statesmen, is now deemed to have been a departure from all the soundest principles of national policy. The object of that treaty was, the expectation, that, by the sacrifice of a third of our duties on the wines of Portugal, as compared with the wines of France, we should secure a more extensive, or at least a more secure, market for the sale of our woollen cloths. By a clause in the second article of that treaty, Portugal reserved to herself the right, if we at any time should discontinue the comparative abatement of our duties on Portugal wines, stipulated in the earlier part of the same article to prohibit the importation into Portugal of British woollen manufactures. Undoubtedly we have a right to terminate this arrangement. Whether or not it would be politic to risk the retaliation which Portugal might inflict, in the event of our equalizing the duties on French and Portugal wines, is another question. Before your lordships decide upon it, it will be expedient that you should see how matters stand at present; and what are the advantages which the adoption of any such measure would produce, to counterbalance even the temporary inconvenience and loss that our woollen and other manufacturers might sustain from it. And here I beg leave to make a few observations, with a view to correct a great misapprehension which seems to exist, as to the extent of the benefits derived by this country from the treaty of commerce concluded with France in the year 1787. I was not at that time a member of parliament; but, if I had been so, I must certainly have acquiesced in the expediency of that treaty. It appears to me to have been founded on just and fair principles of reciprocity. It is a curious circumstance, however, and one that demands our serious attention, that Mr. Pitt did not, at that period, propose to equalize the duties on foreign wines. He consented to a diminution of the duties on French wines; but then it was only in the proportion of two-thirds to a diminution of the duties on Portugal wines; so that the preference was still given to the latter. But let us see how this treaty of 1787, acted on the trade of this country. In the five years which elapsed from 1787 to 1792, under the operation of this commercial treaty with France, the annual average amount of the exports of British produce and manufactures to France was 718,695*l.* Our exports to Portugal, during the same period, amounted to 657,652*l.*: and to Spain, 623,340*l.* So that our exports to France, were only about 60,000*l.* greater in the same period, than our exports to Portugal, and not 100,000*l.* greater than our exports to Spain; which, considering the difference in the extent and population of the countries, was a very trifling superiority. At present there is also to be taken into our estimate, not only the question of our trade with Portugal, but that of our trade to the Brazils. The annual amount of British produce and manufactures, at present exported to Portugal and the Brazils, is not less than four millions sterling. It is a growing and improving trade, which it is highly desirable that we should cultivate. When I say this, I do not wish to give it as my opinion, that the course recommended by the noble marquis, is one that we ought not to adopt; I wish merely to suggest to your lordships the necessity of well considering, whether the additional commerce with France, which that course is calculated to secure, is likely to be, upon the whole, as beneficial to this country as the noble marquis anticipates. In many respects I agree with the noble marquis, that it would be better if we could remove the duties, provided we could obtain correspondent advantages. But, when I perceive, that on the subject of our manufactures, the greatest possible jealousy exists at this moment in the various countries of Europe, and particularly in France, I feel all the difficulties of the case, and the influence which that jealousy must necessarily have on our policy.

With regard to our commerce with the East Indies, that is a question which must be looked at in two points of view:—The first, in which I entirely agree with the noble marquis, as it respects the advantages to our carrying trade, and shipping interest; the second, on which I own I entertain considerable doubts, as it respects any probable increase in the exportation of our manufactures to that quarter of the world. On the latter head I certainly think it doubtful whether any alteration of the present system would prove serviceable. A number of merchants have tried the experiment of trading with the East Indies, some have succeeded, and many have failed. The superiority of British machinery, aided by British capital, over cheap manual labour, comparatively exempt from taxation, is such, that, as I am informed, British muslins are at this moment selling on the continent of India, for half the price of India muslins; notwithstanding the heavy charges of freight and other expenses in their transmission from this country. The prospect opened in consequence to our merchants in India has led to great efforts in trade;—to efforts which have been much too great. A chief cause of the falling off in our exports last year, as compared with our exports in former years, was, the amazing export to Asia, which took place in the year immediately preceding; by which the market was so over-stocked, that the consumption by no means kept pace with the supply; the consequence of which was, a deficiency in the returns, and a corresponding distress on the part of the manufacturers in this country.—I see no reason why, under the present system (for the trade to India is free) the export of British manufactures may not be extended as far as the demand will admit, and I am decidedly adverse to the policy on commercial principles of forcing the demand; the effect of such a measure soon recoils upon our manufactures, and the consequent distress more than counterbalances the former profits. As to China, the attempts to introduce British manufactures to any extent into that country have not proved equally satisfactory; and I confess, that when I consider the extreme jealousy which exists on this subject in the Chinese empire, I cannot entertain very sanguine hopes that the future attempts will be attended by any very great advantages. Although it is certainly true, that the direct private trade between this country and China, is prevented by the charter granted to the East India company; there is, nevertheless an extensive private trade carried on between India and China; and I understand that private traders are permitted to bring even tea to India, under licences granted by the resident government; which licences are never refused, on proper security being given.—I allow that this part of the question of our external commerce is extremely important, as it relates to our carrying trade, and shipping interest. In all that the noble marquis has said with respect to the advantage that would accrue to us from opening a direct trade between India, and every part of Europe, Asia, Africa, and America, I entirely concur. The powers necessary for opening such a trade were especially reserved in the charter granted to the East India company. It was originally intended to make this country the emporium of the trade between India and the North of Europe, and Malta the emporium of the Indian trade in the Mediterranean; but I have no hesitation in saying that, under the present circumstances of the world, I see no reason why any goods that may be legally imported from India, should not be so imported in British ships, direct, to any part of the world, without their first going either through this country or Malta; and a bill has been prepared to carry this object into effect. Of course, the tea trade and the direct trade with China, must be excepted, as they are matters of compact with the East India company, until an arrangement can be made for opening these trades under certain limitations with the company.

I have now gone through the various topics which I felt it my duty to submit to your lordships' consideration. In doing so, I have thought it necessary to take a wider view than the noble marquis took, of the circumstances and situation of the country. I do not say this with the slightest intention of imputing blame to the noble marquis. In my situation, as a member of his majesty's government, it appeared to be incumbent on me not to assent to the noble marquis's motion, without a general explanation of my opinions, not only on the points touched upon by him, but on every other point connected with this great and important subject. I have thought it due to myself, to the House, and to the country, to endeavour to explain the nature of our situation, both internally, and with respect to our commercial intercourse with foreign states; to endeavour to show what have been the causes of the distress which we are suffering; and to discover whether there are any means by which that distress may be remedied, or diminished. I have not attempted to conceal, nor will I attempt to conceal, that it appears to me, that from time and patience, our chief expectation of relief must be derived. I confess, that I do not think the measures recommended by the noble marquis, although important in themselves, will have any very extensive effect or operation. But I am sure they are worthy, at least, of a fair and deliberate consideration. I should be most unwilling, in times like these particularly, that projects of improvement, where no injury can arise from the experiment, should be lightly discarded: but I own that there is nothing which alarms me so much as a meddling disposition, on the part of the legislature, with reference to these subjects, upon insufficient grounds; a continual tampering with great questions; a change of regulation, session after session, to comply with temporary emergency, partial interests, or unreasonable clamour. I firmly believe that, on all commercial subjects, the fewer the laws the better. I am sorry to see so many on our Statute book; but the evil is not one of easy remedy. Some of those laws may, perhaps, be advantageously removed; and others may be altered and amended; but the undertaking is one that will be attended with difficulty, and must be conducted with the greatest caution. In commerce, as in the ordinary relations of life, knowledge and the confidence derived from previous certainty, are the most advantageous guides; for, when even evils or inconveniences are ascertained, they may be met, and perhaps successfully combated. Experience proves that property and trade will adapt themselves, in time, even to mistaken and defective laws; but constant fluctuations in our legislation, on such subjects, can only be productive of disorder and ruin. If every year there is to be a change in our commercial laws, no man, or body of men, can know on what they are to rely. Under such a course of policy, neither the merchants of this country, nor those of foreign nations, will be able to confide in us; and our distresses, instead of being relieved, will be multiplied ten-fold.

The Earl of *Lauderdale* began by complimenting the noble earl and the noble marquis on the able manner in which they had conducted this important discussion. He concurred in a great deal of what had fallen from both, but especially in what had been said by the noble earl on the subject of the corn laws: nothing could be more prejudicial to the agricultural interest than the annual revival and agitation of that question. His principal reason, however, for rising at present was, because, in some respects, he took a more consolitary view of the situation of the country than either of the noble lords—than even the noble earl, who had given, from authentic documents, such a cheering prospect of the trade of the kingdom, by which it was evident that that trade had been diminished much less than was generally conceived. When he reflected on the causes operating to produce distress—on the exertions already made to repel the evil—and the small decrease of demand, he could not but entertain a sanguine hope that the deficiency would be supplied through the inquiries of the proposed committee. The noble earl had said, in one part of his speech, that but for the paper currency the war could not have been continued: perhaps not; and perhaps the evil of discontinuance would not have been so great as the noble earl imagined: certain it was, that no other human invention could, in the whole, have produced so much calamity as a paper currency. On this subject he could talk with the noble earl with considerable freedom, because, after the report of last year, in which the noble earl had heartily concurred, it was evident that they thought alike. He begged, therefore, to call the notice of the noble earl to a few figures which indisputably showed the state to which the paper currency had reduced the country; they were contained in some tables, printed in the year 1813, reaching a second edition soon afterwards, and uncontradicted from that time to the present. His lordship here detailed some of the items in these tables, arriving at the conclusion that, in consequence of a paper currency, the nation was now called upon to pay ten millions more annually than if specie payments had continued. Recollecting the increase of taxes in 1815, and the additional three millions imposed since the peace, he would venture to assert that since 1815 the country had been subjected in the whole to an increase of taxation to the extent of not less than seventeen millions. At the time the kingdom was burthened with this enormous load, peace arrived: for eight years Great Britain had been expending twenty-eight millions of her capital—the artificial demand for commodities was stopped at once, and an accumulated population was thrown out of employ. Still, however, she rose superior to all her difficulties, and this fact gave him so high a notion of the vigour and energy of the country, as to induce him to believe that she would, sooner than was imagined, recover her prosperous station among the powers of Europe. The agriculturist seemed to wish to make a separate cause against the manufacturer, which, if possible, must end in the ruin of both; but, in truth, distinction was out of the question—their interests were intimately combined, and the House would not listen for a moment to any proposition to distinguish them, and to support the one at the expense of the other. He was sorry to find that this disposition to union did not prevail in the country so much as could be wished; and, in reference to the various petitions upon the table, he called the attention of the House to that of the city of London, contending that, properly analysed, it was nothing more nor less than a remonstrance against the corn-laws. As to commercial treaties with France, or any other power, it was nonsense to suppose that one country could obtain an advantage over another: at this moment France seemed actuated from some whimsical cause by a jealousy of Great Britain. The London petitioners did not wish to touch articles connected with the revenue; but all articles of trade were more or less so connected excepting corn; so that the corn-laws were the only object of their complaint. He could not help taking notice of one petition, asserting the principles of free trade; but it contained one clause, indicating a great deal of good sense, and an understanding of the real situation of the country. He alluded to the petition from Glasgow, in which it was said, that "this subject must be entered upon with great caution and prudence, and that no alteration of the laws affecting any branch of commerce should be attempted until after a full investigation of the particular case." The whole subject must be examined upon the merits of each particular case. The noble marquis had called the attention of the House to the opening of commerce in the China seas; and when the India bill was before parliament, he (lord Lauderdale) had been one of its strenuous opponents, because he thought that the inhabitants, with an income of half a crown a month, could never purchase enough of our manufactures to make it answer. He had been deceived; and glad he was to find that the demand was most important—that the natives, in the rainy season, gladly purchased our coarsest woollens; and on this account the subject well merited inquiry.—He wished to say a word or two upon the sinking fund, which was connected with this question: he should be most happy, if possible, to do away with it, as it was founded upon an absurd and injurious principle. Suppose it amounted to five millions a year, it was nothing more nor less than a forcible assumption of five millions of taxes to be converted into capital. Now, if this sum were not so forcibly applied, it might be employed by all who paid it in the purchase of manufactures, and at the present moment such an addition would be of incalculable advantage. The noble earl repeated the opinion he had given, that the nation would recover sooner than was generally imagined; and he supported it by a reference to the mode in which capital had been accumulated, and the natural desire to enjoy what we possessed. The country at large was not impoverished, though the distribution of property was different, and time would soon teach men how to apply what they had acquired. He was happy that his noble friend had brought forward this subject: he thought the inquiry would be productive of benefit; but if not, at least the nation would this night have had the benefit of a wide, profound, and, in some important respects, consolatory statement of its present situation and its future prospects.

Lord *Ellenborough* perfectly concurred with his noble friend who made the present motion, that an extension of our foreign trade would be highly advantageous both to our agriculture and to our manufactures. He expressed the great satisfaction which he felt at having heard from the noble earl that it was his intention to support the present laws respecting agriculture; he was sure that they were necessary, and he was also sure that if any change were made in them at present, such change would inevitably lead to consequences dangerous to the constitution. With reference to this subject he had listened with great pleasure to the prices of corn which had been quoted by the noble earl. He was persuaded that corn had maintained a much more uniform price since the bill for its protection, and he thought that a great blessing, as a constant oscillation between dearth and plenty, labour and laziness, the gin-shop and the poor-house, was to be greatly deprecated. Adverting to the last subject which he had named, he regretted that the poor laws had not been touched on by either of the noble lords. It was a most material feature of the national distress. Great difficulties undoubtedly surrounded the question. It had been his intention to offer to their lordships some proposition respecting it; but after a good deal of consideration he had come to the conclusion that an advantageous arrangement could advantageously originate only in the other House, and could be successfully accomplished only by the interference of the ministers of the Crown. The system of the poor laws was so execrable, that he was convinced if we did not destroy it, it would destroy us. It demoralized the whole country. It destroyed that union of feeling and interest which ought always to subsist between the rich and the poor; it deprived the one class of the gratifications of charity, and the other class of those of gratitude. It led to general corruption and misery. It created a population, and at the same time it diminished their means of subsistence. Great as was his noble friend's experience, he must say that he differed from him as to cause of the distress and discontent in Europe. He quite agreed with his noble friend who had just sat down, that this country was really richer at the present moment than at the commencement of the late war. He believed that the same was the case in France. He was certain that it was so in Italy, and in some parts of Germany. The general distress he attributed, in a great measure, to the regulations that had taken place since the destruction of the French power. Most of the states on the continent had surrounded themselves as with walls of brass, to inhibit intercourse with other states. Intercourse was prohibited even in districts of the same state, as was the case in Austria and Sardinia. Thus, though the taxes on the people had been lightened, the severity of their condition had been increased. He believed that the discontent which pervaded most parts of Europe, and especially Germany, was more owing to commercial restrictions than to any theoretical doctrines on government; and that a free communication among them would do more to restore tranquillity than any other step that could be adopted. He objected to all attempts to frustrate the benevolent intention of Providence, which gave to various countries various wants in order to bring them together. He objected to it as anti-social. He objected to making commerce the means of barbarising instead of enlightening nations; he objected to it as destructive of the happiness of the whole world. Adverting to that part of the noble earl's speech, in which he observed that wine was the only and consequently the inefficient equivalent that foreign countries had to offer us in commerce, he remarked that the article of silks might be added to supply the deficiency. The same duty was now paid in Great Britain on Swedish deals, which were only 14 feet long, as was paid on Russian, which were 20 feet long. The Swedish deals were thus completely excluded. What was extraordinary too was, that in Ireland the Swedish deals were admitted, on payment of a graduated duty; and he was persuaded that great advantages might be obtained in negotiation with Sweden, merely by substituting a graduated duty, without any diminution of it. The state of the trade with France was, however, the most disgraceful to both countries. The two greatest civilized nations of the world, placed at a distance of scarcely twenty miles from each other, had contrived, by their artificial regulations, to reduce their commerce with each other to a mere nullity. From us France would take nothing but colonial produce, and from France we would only receive a few of the products of her soil. It was thus only that the accidental loss of her colonies by France had caused any commercial intercourse to be continued between the two countries. He looked forward to a reduction of the duties on French wines and silks, and on some of those articles of luxury which the French could manufacture better than we, with great satisfaction, as the most important benefits would be derived from the commencement of a free intercourse between the two countries. Had there been any objection to the motion, he should have entered at greater length into the subject; but he saw with the utmost pleasure that the inquiry was to be entered upon, as the House would at least see in what situation the country stood, and what it was practicable to do in alleviation of the present distress.

Lord *Calthorpe* expressed the great satisfaction which he felt at the proceedings of that evening, and at the profound as well as candid manner in which the question had been treated, and the eloquent and statesman-like developement which had been made of the circumstances of the country. There were few circumstances which would tend more to persuade the people that they lived under a paternal government, than the proceedings of that night. As to the Corn bill, he was glad to find it proved that one of the parts of it that had been objected to, the mode of taking averages, contained in itself the principle of self-correction. The principles of freedom of trade, which he was happy to see so fully recognized, were of the utmost consequence; for though, in the present circumstances of the country, a free trade was unattainable, yet their task hereafter was to approximate to it. Considering the prejudices and interests which were opposed to the recognition of that principle, it was no small indication of the firmness and liberality of his majesty's ministers to have so fully conceded it.

The motion was agreed to, and a committee appointed, consisting, among other peers, of the earls of Liverpool, Rosslyn, Darlington, Albemarle, Donoughmore, Lauderdale, Darnley and Bathurst, the dukes of Wellington and Athol, lords Clare and Calthorpe.

HOUSE OF COMMONS.

Friday, May 26.

SUNDAY NEWSPAPERS.] Mr. *Courtenay* presented a petition, signed by certain dealers and venders of newspapers. The petitioners complained that in consequence of the great increase of the Sunday newspapers, and their being exposed for sale on that day, much injury had been done to the public morals, and the breach of the Sabbath was thereby occasioned to an alarming extent. The petitioners said, that many of them had made great sacrifices in their opposition to this practice, whilst others of them were not able, in consequence of their limited circumstances, to reject the business, which would only have the effect of throwing it into the hands of others who had not such scruples. They said that the increase of the Sunday newspapers, and the principles they contained, had a direct and alarming tendency to the destruction of public morals; that their having been sold and read on Sundays kept numbers of persons from attending divine service. The petitioners prayed that the House would adopt such measures as might suppress so great an evil. The hon. and learned gentleman, in presenting the petition, said, he ever felt that the true liberty of the press was most endangered by the abuse of it, and that maxim was illustrated in the conduct of some of those publications. He felt it to be his duty to present the petition, at the same time that he had declared to the petitioners that he could not promise to found any measure upon it. He therefore simply moved, that the petition do lie on the table.

Mr. *Lambton* said, that he would not object to any set of men approaching that House in a constitutional way. At the same time he could not help expressing his extreme disgust at the hypocritical cant of the petitioners. That the circulation of Sunday newspapers was injurious to public morals, was a doctrine to which he could not subscribe. He thought that wherever the press laboured to oppose the advances of slavery and corruption, the circulation of newspapers on any day was a moral as well as a constitutional act; but if those dealers and venders thought otherwise, if they felt those conscientious scruples, they might easily retire from a pursuit, which they considered immoral. He could not but condemn the language of the petition; he could not sit silent and hear so gross a charge brought against the Sunday newspapers. Where, he asked, was to be found an immoral or indecent, or seditious Sunday newspaper? He did not know of one. He thought, on the contrary, that the newspapers conveyed instruction, political as well as moral, to the people of England. He thought that the petitioners, instead of coming forward to attack the Sunday newspapers, would have done well to remain at home, and endeavour to amend their own lives. This would be more agreeable to the true principles of christianity.

Ordered to lie on the table.

Breach of Privilege — Rob. C. Burton, esq.] Mr. Wynn presented the following Report from the Committee of Privileges: 1. Resolved, That it appears to this committee, that the action of Christopher Bolton, Robert Gleadow, and Caius Thompson, against John Eyles, esq. warden of his majesty's prison of the Fleet, being founded upon the alleged escape of Robert Christie Burton, esq., from his custody as warden, which escape was no other than a discharge of the said Robert Christie Burton, under the order of this House, of the 28th day of January, 1819, the commencing and prosecuting of the said action is a high breach of the privilege of this House. 2. "That it appears to this committee, that Christopher Bolton, Robert Gleadow, Caius Thompson, Charles Frost, and Archibald Rosser, have been concerned in commencing and prosecuting the said action."—The first resolution being agreed to, it was ordered—on the motion of Mr. Wynn, "That Christopher Bolton, &c. do attend this House on the 5th of June."

Boston Election.] The order of the day was read for resuming the adjourned debate on the Petition of W. Augustus Johnson, esq. On the question being put,

Sir *R. Heron* said, that the question before the House was one of the greatest importance, and one with which the House ought not to interfere upon grounds so slender as those advanced by the hon. gentleman who made the motion. The hon. gentleman principally relied on two grounds; first, the absence of Mr. Ellis; and, secondly, that the House could not anticipate a case which would come before a committee. If the last ground were tenable, the House had in fact no case before them at present. It was argued last night, and he believed it was the opinion of most members present, that if the qualification of the absent candidate were called for and not produced at the election, he could not be legally returned; but at the Boston election, the qualification of Mr. Ellis had been demanded, and the returning officer, after consulting with some persons, not lawyers, decided that it was not necessary for the friends of Mr. Ellis to produce a qualification. As the House had determined to reject the numerous petitions of the people of England for a more equal representation, it ought surely to vindicate, in the fullest extent, the right of the people to that representation which it had thought fit to give them. If the committee was postponed to the time proposed, in consequence of the absence of Mr. Ellis, the session of parliament might pass away. He did not rely on the declaration, that Mr. Ellis was on his passage from the Cape of Good Hope. If Old Sarum elected the dey of Algiers, would the House allow him to take his seat? Certainly not. The dey of Algiers was not more incapable of holding a seat in that House than Mr. Ellis. The hon. member read an extract from an act, which provided, that any person holding a new office under the Crown, or one created by the Crown after the 25th of October 1795, should be incapable of holding a seat in parliament. From the returns of the civil department of the Cape, it appeared that Mr. Ellis held the office of deputy colonial secretary, an office appointed by the Crown.

Mr. *Wynn* was sorry to interrupt the hon. member, but he thought he was pursuing a very extraordinary course in calling upon the House to discuss the merits of the case in the present stage. That should be the business of a committee.

Sir *R. Heron* was obliged to the hon. member for setting him right; but he conceived he was driven into the observations which he had made by the application of the hon. gentleman opposite. He thought it right to refer all to the committee. He was able to prove, by *viva voce* evidence, that Mr. Ellis acted officially at the Cape. He thought no case was made out sufficient to induce the House to interfere and take the question from the committee.

Mr. *Tierney* said, that many members did not know upon what grounds the hon. member moved.

Mr. *Courtenay* said, that this was a petion which had been fixed for consideration on the 6th of June, and that he, in consequence of the absence of Mr. Ellis, wished to have the time enlarged to the 18th of July.

Mr. *Bernal* said, that Mr. Ellis had no authorised agent in this country.

Mr. *Tierney* said, that his reason for offering a word on this occasion was, that the hon. member opposite had said that he had no doubt that Mr. Ellis was disqualified from holding his seat in parliament. About that he thought there could be no doubt, and the only point on which the question turned was, did he accept the office. His hon. friend (sir R. Heron) said he would adduce proof of that fact. Under such circumstances, was any thing so monstrous as to say that the House must, because the electors of Boston had elected Mr. Ellis, presume that he ought to sit? Would any man in the House get up and say he thought Mr. Ellis eligible? Would the hon. gentleman say, he had any doubt on the subject, that Mr. Ellis had no idea when he went to the Cape that he would be elected for Boston? He would wish to know, whether any member would not be at liberty to move for a new writ for a member in the room of Mr. Ellis? If the House made use of the Grenville act, he hoped they would not use it for the purpose of mischief. The effect of the present motion would be, that Boston would be unrepresented for this year and probably for the next. No one doubted that the electors had a right to elect Mr. Ellis; but the hon. member who made the motion had declared that the impression on his mind was, that the office of Mr. Ellis was a disqualification, and the only question now was, did he accept it? He thought the present motion was not a fair way of dealing with parliament; he thought it competent for any member to move that a new writ be issued for Boston.

The *Speaker* said, he thought the petition on the table must be disposed of before any member would be at liberty to move for a new writ. The next question was, how the petition could be withdrawn after recognizances had been entered into. By a clause in the 28th of Geo. 3rd, the House could not issue a writ unless the seat were vacated by death or some other cause, which must arise subsequently to the election; and by the 53rd of Geo. 3rd, it was lawful for the House to permit a petition to be withdrawn upon matter which might subsequently arise verified upon oath.

Mr. *Bathurst* begged the House to consider that the object of the present motion was only to remove the consideration of the petition from the 6th of June to the 18th of July, a day on which another petition of a similar nature was to be taken into consideration; and it might happen, that the person complained of in that petition would be proved in the committee to be as incapable of holding a seat as Mr. Ellis. An hon. member had said that it was late in the session, and the consequence would be, that it would go over for another year. In that respect the petition was not used differently from others of a similar description. The sum and substance of the observations were, that it could be proved that Mr. Ellis was incapable of accepting a seat; but such proof could not, he conceived, be now submitted to the House. The House had been informed by the Chair, that they had not the power to reject the ordinary mode of proceeding adopted by parliament, and that proof could only be offered in the usual way adopted by the House.

Sir *R. Heron* said, he did not undertake to prove that Mr. Ellis was now in possession of the office, but that he did accept it.

Mr. *Brougham* said, the House ought to hear all before they made up their minds on the present case. He would suppose this motion was never made; and if he had the same impression on his mind as the hon. gentleman opposite, he should hesitate before he would make such a motion, as the hon. gentleman seemed to be certain that the utmost delay would only tend to show that Mr. Ellis was ineligible. For his part, he thought a greater difficulty existed in point of fact than in point of law. He thought the person who proposed this measure was not a friend to Mr. Ellis. If the committee were ballotted for, and in the act of sitting, he would defy the petitioner to make out his case; and why? His hon. friend said it was an office created since 1795; yes, but it must be proved that Mr. Ellis was in possession of it on the day upon which he was elected. If any member moved for a new writ for a person to serve in the room of Mr. Ellis, it might turn out that some other person was entitled to take the seat. It appeared to him that it should be proved that Mr. Ellis actually held the office on the day of his return for Boston. He thought that could not be ascertained, except by the appearance of Mr. Ellis, or by sending out to the Cape. He did not see the possibility of proving the contents of the petition. The gentleman alluded to had left the Cape a month previous to the election; and he therefore could not say that Mr. Ellis held the office at the time of his return for Boston. It might happen, if a new writ were issued, that

Mr. Ellis would come in a day after and say, "I resigned a day or two previous to my return." What then would the House do in order to extricate itself from such a situation? The only way, in his opinion, by which the difficulty could be got rid of was, by a new act of parliament.

Lord *Castlereagh* said, he apprehended that official intelligence from the Cape would be sufficient to warrant the committee in coming to a decision on the question, but at the present moment it was quite impossible to have any intelligence of that kind. He did not think it possible to move for a new writ, now that the case was *sub judice.* The Grenville act deprived the House of that jurisdiction. From the words in the petition it appeared, that the petitioner did not only intend to contest the right of Mr. Ellis, but to urge his own; and if the House would now take the question into consideration, the parties would be deprived of that protection intended to be afforded by the Grenville act. On general grounds, he thought the House ought not to act hastily in depriving a man of what was of the highest respectability in the country—namely, a seat in the House of Commons. If the question were permitted to stand over until next session it would be a hard case; but in postponing it to the 18th of July, he did not think any great injury would be done.

Mr. *Courtenay* admitted, that considering the office Mr. Ellis held as a notoriously new one, he was inclined to suppose him ineligible; but he had stated that there were many possible ways in which he might have become eligible.

The question "that the order for considering the petition of W. Augustus Johnson, on the 6th of June next, be discharged, and that the petition be taken into consideration on the 18th of July next," was then put and agreed to.

INSOLVENT DEBTORS BILL.] Lord *Althorp* proceeded to describe the principal provisions of the Insolvent Debtors' bill, the seond reading of which he was about to move. In consequence of what had passed with regard to this measure upon a former evening, he felt it necessary to preface his motion with a few observations. It was now universally admitted among candid and considerate men, that the imprisonment of a debtor should not be continued at the will of a creditor, in other words, that a creditor should not have the power of imprisoning his debtor for such a period as could not possibly do himself any service, while it must be ruinous and tormenting to the debtor. Upon this indisputable principle, the late law for the relief of insolvent debtors was founded. That law was, however, deemed by some persons to be so defective, that a number of petitions, complaining of its operation, were presented to the House within the last parliament, and these petitions were referred to the consideration of a committee, who found that certain of their allegations were not without grounds, but it was also found that many of the complaints of the petitioners were as applicable to the old law as to that against which they were especially directed. The principal objection to the late law was, that the creditors had no power to inquire into the effects of the debtor at the time of his arrest, or until the period of his application for a final discharge. This it was proposed to remedy in the bill before the House. But as it was objected to the bill brought forward in the course of the last session, that a debtor should not be peremptorily required to deliver up, on the petition or demand of a certain proportion of his creditors, a schedule of his effects, within fourteen days after his arrest, that period being deemed too short, it was proposed, in the present bill, that if such a demand should be made by the creditors within those fourteen days, the debtor should be allowed fourteen days time to comply with that demand after the petition containing it was presented. The debtor was, however, in the mean time, liable to be called upon for the surrender of his property into the hands of an assignee of the court. Another complaint preferred against the late law was, that the agents who practiced in the insolvent debtors' court were not attorneys, or in a due degree under the control of the court, and to remedy this it was proposed that none but regularly admitted attorneys should be allowed to practise. But against this proposition many objections were urged, and among others it was stated, that if none but regularly admitted attorneys were allowed to practise, the whole of the business was likely to be thrown into the hands of the lowest class of attorneys, from whose practices more evil was apprehended than from any description of agents hitherto connected with this court. Hence it was deemed expedient to propose in the present bill, that the court should have the power of appointing agents for the insolvents, whether attorneys or not, according to its discretion, while it should be open to the creditors to appoint their own agents or attorneys. The next important provision in this bill was, that of enabling creditors to compel debtors to take advantage of the act, and to surrender their property after they should have been in custody for a period of nine months. It was of course meant to include in this provision, that if any surplus property should remain after his debts were discharged, such surplus should be delivered over to the debtor, according to the principle of the old law. With regard to the property acquired by debtors after their discharge, it was found by the inquiries of the committee before alluded to, that notwithstanding the provision of the law upon the subject, very little if any such property had been found available for the benefit of the creditors. One of the new provisions, therefore, was, to enact some security for the creditors upon this subject, by investing the court with the power of prohibiting any debts found due to the debtor after his discharge from being paid to him; and also to intercept any legacy which might be bequeathed to him before it reached his hands; the funds arising from such sources to be placed in the hands of the assignee of the debtor, for the satisfaction of the creditors.—Now, as to the constitution of the court: according to the late law, only one judge presided over its proceedings, and that arrangement, it was proposed by the bill of last session, still to continue, with the addition of two examiners. But upon farther consideration, and especially in consequence of the multiplicity of business to be done, previous to the final decision upon the case of petitioning debtors, that business being of such a nature as to require great attention and acute discrimination, it was thought desirable to have three judges appointed. If there were only one judge, it must be obvious that in case of his removal or sudden death, it might be very difficult, if not impracticable, at once to find a successor duly qualified to conduct the affairs of such a court; and the delay, with the inconveniences of a change of system, perhaps, would be productive of serious injury to the debtors.

Mr. *Macdonald* rose, not to oppose the motion, but to make a few remarks upon the proposition with which his noble friend had concluded. With the proposition of appointing three judges in the court under consideration, he could by no means agree. He objected to such an appointment upon the ground of the increased expense which it must occasion, and any addition to the public expense was peculiarly objectionable at a period like the present. But the ground of necessity alleged for this new appointment was, he must take leave to say, not at all of an adequate nature. In his view, indeed, the additional or what was termed the previous business of this court, might be done in a more effectual way, by the two examiners which were proposed on a former occasion, to inquire into each case, than by the two new judges whom the noble lord now recommended. But upon what ground did the noble lord think it necessary to propose three judges, while he thought one judge sufficient in the month of December last? The business of the insolvent court could not surely require more previous inquiry than that of any of our courts of equity, and in those courts the previous business was all done by officers delegated by each court to inquire and report, but not to adjudge upon each case respectively. Why, then, should not the same principle be applied to the insolvent debtors court, that was found to operate with such effect in the other courts of justice? The expense of the new appointments was, he repeated, a considerable objection to his noble friend's plan—more particularly, as any previous business which the two new judges might have to discharge, and for which, no doubt, it was meant to grant them settled salaries, might be quite as well done by examiners, for a moderate fee upon each case. What he had said on the discussion of the motion, with respect to the appointing the vice-chancellor he could not help adverting to upon the present occasion, namely, that the public should not be encumbered with the expense arising out of the appointment of any new judge, while there were such anomalies as the Welch judges, who were comparatively unemployed. Here, he observed, the public might find a fund of judges, who could be used in aid of any of the ordinary tribunals in Westminster-hall, if such aid were required, or to discharge the duties of any new judicial office that might be deemed necessary. These judges could find ample leisure from the performance of their duty in Wales to attend to any such objects. Should, then, any additional judges be deemed necessary for the business of the Insolvent Debtors court, he hoped that it would be determined to draw upon this fund of judges, rather than to encumber the country with the expense of any new appointments. His noble friend had observed that it was necessary to have more than one judge in the court alluded to, lest upon his death there should be any delay or difficulty in finding a person competent to succeed. But how could such difficulty be apprehended, as an adequate successor could be readily selected from among the practising barristers in this court, and he must suppose that a successor to such an office was most likely to be taken from that body. Such certainly appeared to be the more eligible course. His noble friend's apprehension, then, upon this ground furnished by no means a satisfactory reason for his proposition. But his noble friend's apprehension of the inconvenience that might result to a court where only one judge presided, in case of that judge's death, because another might not be readily found to take his place, would seem to call for the appointment of other new judges as well as those at present proposed; for it would be recollected that there was only one judge in the court of chancery, as well as in the vice chancellor's and the Roll's court. If more sufficient reasons were not assigned for his noble friend's proposition than he had yet heard, he should feel it his duty to move an amendment in the committee upon this bill, that instead of three judges, there should be only one judge, with two examiners appointed in the court under consideration.

Mr. *Bright* thought that some means should be devised to make a distinction, in the operation of the measure before the House, between the case of the honest unfortunate and that of the fraudulent debtor; for it was obviously unjust that the same measure of punishment should be inflicted alike upon all debtors before they could avail themselves of the proposed law. Some scale of imprisonment then, or some criterion of distinction, ought to be established. The cases of fraud and of suffering disclosed before the committee upon this subject forcibly called for such an arrangement. If an accusation of fraud were made by any one creditor, by the practice of the Insolvent Debtors court the accused was allowed to compound with that accuser, while he was released with regard to the claims of his other creditors. Of this practice he very much disapproved, thinking that whenever any accusation of fraud was proved, the fraudulent debtor should be remanded for the usual period, upon all the claims preferred against him; for this law should in no case be allowed to shelter the fraudulent debtor from condign punishment. Some provisions should also be made in this bill to facilitate the recovery of property acquired by the debtor after being personally discharged from the claims of his creditors. He concurred with the noble lord in thinking that three judges were better than one for a court of this nature, as cases of great difficulty and troublesome investigation were so likely to be brought before it, and therefore he thought judges with settled salaries, would answer much better than examiners with occasional allowances, as these allowances would be too apt to tempt such officers to an unnecessary prolongation of their inquiries. There was another provision which he would take the liberty of suggesting, namely, that in any case in which a judge might think it necessary, he should be empowered to have a jury called in to assist his inquiries. For in such cases of complicated fraud as were likely to come before this court, it was most desirable that a judge should be at liberty to appeal for aid to that noble institution of British jurisprudence, the concentrated judgment of a jury. The hon. gentleman concluded with observing that he could see no reason why persons confined for Crown debts should be exempted from the benevolent operation of this bill, or that any distinction should be drawn between the Crown and any other creditors of an imprisoned debtor. It ought, at least in his judgment, to be provided, that Crown prisoners should be allowed to appeal to the court of King's-bench, which court should be empowered to commute the claim, or to discharge any prisoner, where it saw due cause for clemency.

Mr. *Littleton* bore testimony to the excellent conduct of the noble mover, throughout the whole of the investigations and discussions which had taken place upon this question. That conduct was, indeed, the subject of praise in every circle where he heard the question alluded to. He therefore hoped the noble lord would follow his own views upon the measure before the House, being convinced that this was the course most likely to meet the general approbation of the country.

Lord *Althorp* thanked the hon. gentleman for the compliment which he had thought proper to bestow upon his labours; but he begged it to be understood that whatever he had been enabled to do was owing to the assistance of the very intelligent committee with which he had had the honour to co-operate. He indeed went into that committee comparatively unacquainted with the subject, but he found himself enlightened in the progress of the inquiry, both as to principles and details, by the information and judgment of his able colleagues. He agreed entirely with the hon. member for Bristol, that Crown debtors ought not to be exempted from the operation of the proposed law. But when he mentioned his wish upon the subject in the committee, he found the attorney-general's objections were such that he was afraid of pressing the proposition in that House, lest he should hazard the fate of the bill. With regard to the hon. member's suggestion to authorise the appointment of a jury in certain cases, it was to be recollected that a jury could not be impanelled without expense, and that the petitioners to the Insolvent Debtors' court weregenerally mere paupers, who had not the means of defraying any expense. Again, it might be apprehended, that if a judge of this court were allowed to call in the aid of a jury, he might feel too much disposed to throw the responsibility, in certain cases, from his own shoulders. Besides, it was to be remembered, that the court alluded to was appointed not so much to try matters of fact as to decide upon cases of equity. On these grounds he found the objections to the impanelling of a jury in this court so very strong, that he could not persuade himself to make the proposition, notwithstanding his reverence for that noble institution the trial by jury. The appointment of three judges he had been induced to propose from a variety of reasons which to his mind were quite satisfactory, and among others from the experience of the commissioners in bankrupt cases, which cases were so very analogous to those usually brought under the consideration of the Insolvent Debtors' court. When, indeed, the advantages likely to result from the proposed appointments were taken into consideration, he could not suppose that the amount of the salaries annexed to those appointments, or any expense of that nature could at all weigh with the House against the attainment of such advantages.

The bill was then read a second time.

MOTION FOR THE REPEAL OF THE WOOL TAX.] Lord *Milton*, on rising to submit the motion of which he had given notice, said he felt the difficulty as well as the importance of the duty he had undertaken, from the particular relation in which he stood to the petitioners, and from the great interest which a large body of his constituents had at stake. He might, however, say, with truth, that he was not swayed by the opinion of his constituents, for, whatever had been their sentiments, he should have entertained the same opinions that he now held. Those opinions were not new or speculative, but were founded on principles that appeared to be as immutable as truth itself. It had invariably been our policy to import the raw material of our manufactures at as cheap a price as possible; for he would not admit, that in particular instances, such as in the importation of cotton wool or raw silk, a contrary principle had been acted on: and if, as in the case of cotton a different policy had been pursued, it was only where the particular article of trade could bear an increase of price. It was during the last session, that that principle had, for the first time, with respect to the importation of wool, been departed from; and here he would observe, that there was considerable difficulty in dealing with the question, on account of the different appearances which it assumed; it was a sort of Proteus that changed its face as arguments were addressed to it. He did not mean to say that it had been so stated in that House; but he had seen many persons to whom it had been represented as a measure intended for very different and very opposite purposes; for to some it had been represented as a duty imposed merely for the purpose of assisting the revenue, and to others as a protection to the agriculturists. Now, it was impossible that it could be viewed in both these lights. As a measure of revenue it must necessarily be ineffectual, because at the time this duty was laid on, a greater revenue was derived from the importation of wool than had since been produced. Those who supported the tax might say, that it had not yet had time to be productive;

but still the returns showed that the importation had been so much reduced that the revenue lost considerably. It appeared from the Custom-house returns on the table, that during the eight months previous to the operation of this tax, 11,000,000 lbs. had been imported at the old duty, and, that, during the next four months only 230,000 lbs. had been imported at the new duty: and this document clearly proved that the importer of the raw material was unable to support the duty imposed. He knew it would be said, that this reduction was owing to the great quantity of wool in the country before the tax was imposed; and those who used this argument, would refer to the great importations made in 1818. He was aware that in that year twenty-four or twenty-five millions of pounds of wool had been brought into the country; but that was at a period when the expectations of the importer were encouraged by the manufacturer, and when there was likely to be a great demand for the raw material. Now, however, instead of an increase of the manufacture, there was a great diminution in every part of the kingdom, and consequently no encouragement to the importer. But it did so happen, that there was only one part of the kingdom, the West Riding of Yorkshire, where the state of the woollen manufacture could be accurately known; and the account of the quantity of cloth milled in that district, proved this at least, that the state of the manufacture was such that it was madness on the part of the legislature to attempt increasing the revenue by such a duty as this. By this account it appeared, that during the last year only, 7,000,000 yards of cloth had been milled; and, on comparing this quantity with that of former years, he was obliged to go so far back as to the year 1794, before he could find so small a quantity. When the increased population of the country must have increased the demand at home for these articles, he nevertheless found, that the present demand was less than it had been in any of the last twenty-five years. That could not be merely owing to the distressed state of this country, but must be ascribed, in a great measure, to the falling off of our foreign trade. On the subject of foreign trade he might entertain opinions which some persons would, perhaps, consider singular: his opinion was diametrically opposed to that of those who contended that the more you export and the less you import the richer you must be. It was not his intention to enter into that question at present; but he thought that we could not deal with other parts of the world but on terms of reciprocal advantage, and that we could not export our manufactures to other countries without importing their commodities in the same proportion. The documents of the Custom-house could not show whether the country was in a prosperous, or in an adverse situation; and too much stress he apprehended was laid on them both by ministers and others. They could not overcome the evidence of people's senses, which was the best proof of prosperity or adversity. In a country like this, when the great and opulent were not satisfied with even all the luxuries of the world, there must be an import trade, and in return for these commodities there must be other articles exported. If we imported sugar from the West Indies, and tea from the East Indies, we must export our manufactures in return. It would not do to export raw produce. Let the House look at Poland, the greatest exporter of grain. Would they wish this country to be reduced to the exporting poverty of Poland? In the same manner in the exportation of timber from Prussia and North America, they had additional proofs of the poverty which the exporting of raw materials always indicated. If they traced the progress of states, they would find that a retrogradation of prosperity had always led back from manufacturing to agricultural and pastoral labours. This country had an immense load of debt, whether incurred justly or not he would not inquire; and with that debt it could not afford to be poor. If we wished to bear it, as honest men should bear their debts, we must go on increasing in wealth. The increase of wealth was nothing but the increase of the productions of the earth; and, as it was the industry and labour of man that called these productions forth, the greater the industry that was bestowed on them, the more valuable they became. Now, he would ask, if it could be the interest of this country, to check the importation of those raw materials on which, by the ingenuity and industry of man, so great an additional value might be conferred? He believed the value of wool imported into this country was doubled by being manufactured into cloth—[cries, "More, more"]; indeed, on recollection, he believed it was in some cases quadrupled, and even quintupled. Thus, the finest wool imported cost 6*s*., and the finest manufactured cloth exported from this country was sold for 35*s*. He did not mean to say that in this case the value of the wool was multiplied by 5, because there were other articles employed in the process of manufacturing the cloth; but, the instance he had given showed at least that in the manufactured state its value was more than doubled. In the account of the examination which took place last winter before the privy-council, he found it stated by one of the persons examined, that in the American market our cloth manufactures had an advantage of 7½ per cent over those of French and Flemish manufacture; that was, when French and Flemish cloth was sold at 100, English cloth of the same quality could be sold at 92 or 93. Now, if to this price the new duty were added, it would make English cloth rise to 97 or 98; and this, he thought, was running a race with France and Flanders, and incurring a risk of losing the American market, which, on every principle of policy and prudence, ought to be avoided. By this course we were running the risk of losing America, with whom, of all countries in the world, it was most important that we should maintain connexion. Franklin had told America, and told her truly, that she ought not to think of manufactures for a century to come; and yet we were driving a rising country, and an increasing population, either to manufacture for themselves, or to purchase their goods from the manufacturers of the continent. But it was not in America only that we should find ourselves pressed by the continental manufactures; that opposition would meet us in every quarter of the world. England had enjoyed a monopoly of commerce during the war; but it was not to be supposed that she could rest upon her oars, and enjoy the same monopoly during peace. The face of affairs was changed—changed, not as had been said by some gentlemen, by our transition from a state of war to a state of peace, but changed as regarded our sole command of that element, upon the bosom of which our commerce was carried on. Let not the landed gentlemen suppose—let them not hope—that they could ameliorate the condition of their tenants, by the simple expedient of a tax upon foreign wool. The wool produced in England did not amount to a fifteenth part of the general produce of the country; and it was ridiculous to suppose, that by increasing the value of a fifteenth of our produce, any material effect could be produced as to the whole: the very idea was as foolish as that which had occurred to several gentlemen whom he admired and esteemed; and which had tempted them to introduce a foreign breed of sheep into the country, with a view of raising within ourselves that finer wool which we were now obliged to purchase from our neighbours. To him it appeared, that nature, up to a certain point, had indicated by her own acts the peculiar species of animals, as well as vegetables, properly adapted to particular climates; and that he who attempted to introduce into England the finer wools of Saxony or Spain, would be as much disappointed in the result of his endeavours, as the man who should carry to the torrid zone the long-fleeced sheep peculiar to England. He had not, his lordship continued, countenanced the signing of petitions upon the subject; he had found it impossible to prevent petitions from being drawn up; but he felt that he should have acted dishonestly towards the suffering classes, if he had even held out an idea that the abolition of this tax would restore to them a trade which had been lost to them by causes entirely unconnected with it. All he intended—all he had said—was, that when a manufacture was of itself declining, that measure was impolitic which should cause it to decline still farther. It was impossible to look at the situation of the manufacturers in the county which he represented, without feelings of the most agonizing description. In the name of prudence, as well as in the name of common feeling, he called upon the House to repeal a duty which distressed the manufacturer without assisting the agriculturist; and which, so far from increasing or aiding the revenue, went to destroy those sources from which the revenue ought to be derived. The noble lord then moved, "That leave be given to bring in a Bill to repeal the Tax on Foreign Wool."

Mr. *Wilson* seconded the motion, and said, that it was necessary that a great manufacturing country should depend upon its exports, to enable it to indulge in the luxuries which were obtained from foreign countries. It appeared to be the general feeling of the House, that a more liberal system of commercial policy should be pursued, and in that feeling he was happy to find that the president of the board of trade participated. If taxes were levied upon articles which were not taxed before the war, they would operate as a premium or bonus to foreign manufactures. The tax would press most severely upon the coarser manufactures; and it was quite clear that in articles of this description, such as the Yorkshire cloths, which fetched from 2*s.* 6*d.* to 3*s.* 6*d.* a yard, no degree of ingenuity would enable the manufacturer to compete with foreigners, when he had to pay an additional duty of 6*d.* a lb., from which the foreign manufacturer was wholly exempt. With respect to the increase of value, upon which the noble lord had made some observations, it was to be recollected, that a considerable proportion of the raw material was brought from Smyrna and the Cape of Good Hope. When, therefore, the freightage to the ship-owner, the expenses of carriage, and other circumstances were taken into calculation, it could not be doubted that the original cost of the article was increased tenfold. As to the effect of the tax upon the interests of agriculturists, it was uniformly observed that the poor's rates pressed most heavily upon agriculturists, when the manufactures of the country were in a state of depression. It was the interest, therefore, of agriculturists to oppose a tax which was calculated to throw a number of manufacturers out of employment, and consequently to increase the burthen of the poor's rates. Ministers would do well to repeal the additional duty, which had added nothing to the revenue, and which, even if it had better answered their expectations, it would be a wiser course to give up, than, by retaining it, to create distress and increase the burthen of the poor's rates.

Mr. *Western* thought that the hon. member who spoke last had taken rather too much for granted. If he believed that the tax would prevent the manufacturer from going freely into foreign markets, he should concur with that hon. member in his disapprobation of it. It should not be forgotten, however, that one of the first effects of this duty had been to induce Spain to take off part of her export duty. It was a curious circumstance, that during a period of the most extensive exportation of coarse woollen manufactures, not more than half the quantity of foreign wool had found its way into this country, which came into it at present. In the year 1790, not more than 3,000,000 lbs. of wool had been imported. The annual importation during the last five or six years had been 17,000,000 lbs. Was it not probable, that in proportion to the ease with which foreign wool was obtained, the growth of our native wool would be discouraged? It had been said by the noble lord that this could not at once be a measure of revenue, and protection. It might answer both those purposes. It might prevent the inundation of foreign wool, without amounting absolutely to a prohibition. It had been said, and with truth, that within the last four months, little or no wool had been imported; but it should not be forgotten, that heavy importations took place just before that time, with a view to avoid the payment of the additional duty; and besides, the importation of the preceding year had amounted to 26,000,000 of pounds. The noble lord had adverted to the introduction of the growth of fine wool in this country. His conduct, however, upon that point should not be governed by the advice of the noble lord; but it would be materially influenced by the advice of that noble lord's constituents. Those persons, it was evident, differed in opinion from the noble lord, for they thought and declared that the introduction of that wool was likely essentially to benefit the country.

The *Chancellor of the Exchequer* said, that he continued in the same sentiments which he had expressed in the course of the last session, and agreed with the hon. gentleman, that whatever might be the ultimate effect of the measure, no sufficient experiment had yet been made to warrant the proposed alteration. If it was improper, generally speaking, to apply a tax to the raw material, it was a principle no less sound, that by the effect of taxation our natural produce should be supported. The noble lord had adverted in his speech to general principles, as regarded the present question, and if the ordinary rules of political economy could be dispensed with in one case they might be dispensed with in another. That noble lord had stated, that the present measure was sometimes called a measure of protection, and sometimes a measure of revenue; and he had declared, that whatever might be said in its defence upon the one ground, must necessarily operate against it upon the other. Now, he saw no such inconsistency. The article would be a fair article for the support of the revenue, if it could be proved that the consumption was not so far diminished by the tax, but that to a considerable extent it would still remain. The measure would operate as a protection to our native wool, if, while it admitted sufficient foreign material for the purposes of manufacture, it prevented such an influx of low priced foreign wools, as would destroy the production of the raw material at home. He knew no fitter article for taxation than one of which the consumption was gradually, constantly, and continually increasing. Such an article was foreign wool. It would be found, that in the year 1791-2 the quantity annually imported amounted to about 2,800,000 lbs. This was before the commencement of the late war. It was not until the year 1814 that the importation amounted to 6,000,000 lbs. and in the year 1818 it arose to 26,000,000 lbs. It would be found that the increase of our exportation of manufactured goods had by no means kept pace with our importation of the raw material; during that period, in which our importations had increased, in the proportion of nearly five to one, our exports had only risen two-sixths upon their former amount. It would be evident, therefore, that a great quantity of the imported wool must have been thrown for a considerable time upon the market. The woollen trade, as regarded the raw material, might be divided into three classes; the finer wools, which were imported from Saxony and Spain, some of which were now produced at home, and some from the British colonies, from New South Wales, and from the Cape of Good Hope. This species of wool formed two-thirds of the whole quantity imported, and upon this species of wool it was not supposed that the duty in question had any sensible effect. With respect to what had been said, as to his previous statement of the amount of revenue to be produced by this tax, the importation of fine wool alone would nearly cover that amount: 4,300,000*l.* to arise from a duty of sixpence per pound, from which the old tax of one penny per pound being deducted, 250,000*l.* would remain, was all that he had promised to parliament. Now, the average produce of the last year had amounted to 19,000,000 lbs.—say 16,000,000; and supposing one-fourth of it, on account of the low priced wool to be deducted, there would then remain 12,000,000 lbs. which at once would give the 300,000*l.* The second class to be considered was the long wool, which was the exclusive product of this country, and which he had heard afforded to us in our manufactures a peculiar advantage over all other nations. If this was true, little danger, he imagined could be apprehended from the tax in question. It was contended by some manufacturers, that there was a certain class of articles, articles of recent invention, which could not be made without a mixture of some portion of foreign coarse wool. At all events, that assertion deserved examination, for every branch of British industry deserved to be encouraged. The interests of the wool grower and of the manufacturers were most intimately connected, and if the wool grower was ruined by free importation, the manufacturer would be deprived of his best and safest reliance. The exportation of woollen manufactures had not fallen off more than the cotton, the hardware, and not so much as many other articles. The distress which had been quoted as existing in Sheffield was a sufficient proof that distress was not produced by the operation of the wool-tax alone. Much of the present distress, in fact, the greater part, might be attributed to a want of exportation to America. It would be found upon examination, that the circulation of bank paper in that country was reduced from 110,000,000 to 45,000,000 of dollars. He did not mean to attribute the whole embarrassment of the American trade to that cause, but that cause had doubtless operated to a very considerable extent. America, however, would recover rapidly, and the inconveniences which we were experiencing from a want of exportation to that country would at the same moment be removed. It was not in England only that a depression of the woollen trade had taken place. The manufacturers of France had quite as much cause for complaint as the manufacturers of this country. In France, however, no new wool-tax had been imposed, and therefore their distress, at least, must be referable to other causes. The right hon. gentleman concluded by declaring, that he should oppose the present motion. He was not of opinion that the tax had been fairly tried, but as far as it had been tried, it certainly had not failed.

Mr. *Stuart Wortley* felt that both his noble friend and himself, as representatives of the county in which this great manufacture was principally carried on, would be listened to with some suspicion by the House. No power, however, should induce him, and he was sure that no power would induce his noble friend, to advocate any cause which he did not conscientiously believe to be a just one. He would advert, in the first place, to the time when the tax in question was originally imposed, in order to separate any distress which that tax might have produced from the distress which had existed before that tax was in being. He did not mean to say, that any very great degree of distress had been produced by the operation of that tax, but he could not think that no ill effect was to be attributed to it; because, if he was to believe that which was stated by the merchants, and by the manufacturers of the country, he must believe that it had prevented those persons from speculating upon the orders, which, at this period of the year, they usually expected to receive, and, as a natural consequence, had gone to deprive the labouring classes of employ. That the situation of the country was pitiable beyond the conception of that House, he of his own knowledge could assert. The change in the appearance of the West Riding of Yorkshire, and the change of appearance in the great market of Leeds, within the last two years, was incredible. Two years ago, the people of the West Riding, were some of the best-looking, best dressed, and most cheerful in the country; and when he went back to canvass the county upon a late occasion, the difference in the appearance of the people, the change in their countenances, the change in their clothes, and the general alteration in the aspect of the town, had impressed him with feelings which would not be easily erased from his mind. The chancellor of the exchequer had laid much stress upon the circumstance of the Spanish export-tax having been taken off as soon as the present import-tax was imposed, as if it were merely taking so much money out of the exchequer of Spain, and putting so much money into the exchequer of England. The manufacturers complained, "this tax drives us out of the foreign markets," and the right hon. gentleman answered, "the Spanish export tax is taken off." It was taken off certainly, but it was not taken off as regarded this country alone, but as regarded all other countries, and if there was only a probability that the manufacturers were right, he, notwithstanding the attachment which he professed to the government, and the support which he had been accustomed to afford it, would say, that the present tax was as cruel a blow as ever was inflicted by any government upon a suffering people. No doubt, fine wool might be produced in the country, and no doubt we had lately produced finer wool than we had formerly been accustomed to produce, but we never could produce that quality of wool which was imported from Spain, and which was indispensable to the manufacture of the finer cloths. If the tax had only been imposed upon fine wool, it was possible that fine wool might bear it, because that wool must come to this country to work up the English wool. As to the coarse wool, there was a great quantity of cloth necessary for the foreign markets, which required a quality of wool not grown in this country to be mixed with the long wool; and if we were shut out from obtaining that coarse wool, we could not manufacture such cloths. Then could there be a doubt that wool which was imported at the cost price of eightpence must be totally excluded, by a duty of sixpence? He would ask any farmer who had the happiness to possess land which would bear these long-woolled sheep, whether he could be so well paid by any other description of produce? Unless the long wool could not be consumed by the manufacturers of our own country, it would be folly to allow its exportation, because that wool would be worked up abroad with the foreign short wool which we were now seeking to exclude, and the consequence would be, that foreigners would beat us even in our own manufactures. It was the universal opinion of those persons whose means of existence depended upon the woollen manufacture, that the tax in question had been a deadly blow to it, and from that tax he trusted they would be released by the decision of the House.

Mr. *Huskisson* thought that the hon. gentleman who spoke last had mistaken the meaning of the chancellor of the exchequer as to the abolition of the Spanish export duty. It had merely been stated, that the tax being levied now in England, and not in Spain, went into the treasury of England, and not into the Spanish treasury. He believed it would scarcely be denied, that three-fourths of the foreign wool which was imported into this country was consumed by the population of this country; consequently, if the tax which had existed in Spain was now levied in England, that tax, as regarded the people of this country was no additional burthen. Three-fourths of the quantity imported was consumed in this manner; the remaining fourth was manufactured and exported. The question was, whether that was a wise tax which put 250,000*l.* a-year into the Treasury, without levying any new burthen on the people? He should have liked to have asked the hon. gentleman what was the proportion of Spanish wool exported to other parts of the world as compared with England? He believed it would be found that France imported not less than 500,000 lbs., certainly not exceeding a million pounds, and that in fact more than 7-10ths of the Spanish wool exported came to this country alone. The question was narrowed to the consideration of the coarse wools only, the importation of which into this country first took place about four or five years ago, when our coarse wools were at most enormous prices. The hon. gentleman had stated that the admixture of these wools was necessary to make a certain description of woollen goods, that is, the whole consumption of British and foreign wool together being about 160 millions of pounds, of which about three millions of pounds were of foreign wool paying the tax, which was the enormous grievance complained of, and that was to occasion the total ruin of all our woollen manufactures. In the whole history of the system of protecting duties, as they were called, he challenged the noble lord and the hon. gentleman to show him a single instance like that of the wool-growers of this country: they were confined to the markets of England for the sale of their produce, and before the tax was laid on were without any protection from the competition of the foreign wool-grower. What would the West India merchant say, if foreign sugars were thus allowed to come in competition with the produce of our own islands? The tax, he thought was necessary as a protection to the growers of British wool, and it was but common justice to allow it them; for if a free export were permitted, he was satisfied much greater advantages would accrue to them than any which they could derive from the protective power of the tax. He wished, on the part of the wool-grower, nothing more than a fair competition with foreigners in all the markets of the world; but if he was confined to the market of this country only, then certainly they ought to protect him in that to which he was so limited. The noble lord said that this was the only instance of a tax on the raw material? Was not cotton a raw material? Was not timber taxed, and was not that a raw material of considerable importance to this country? The numerous packages in which goods were exported from hence were thus all taxed. The dying drugs and oil used in that very manufacture of woollens, were they not raw materials, and all taxed, but taxed with a reference to the wants of the country on the one hand, and with the least possible prejudice to the manufacturers on the other? The distress to which the noble lord had alluded had arisen from more general causes—causes pressing on every class of trade, agriculture, and manufactures. If he had inquired into the state of the cotton trade, he would in that have found the same diminution in demand, the same reduction of wages, in short, the same distress as complained of in the woollen trade. How, then, could the distress in that branch be attributed to the tax? The diminution was attributable to the diminished demand in America; for on a comparison of the exports of last year as compared with the exports of the preceding year to that country, it would appear that there had been a falling off in the cotton trade of more than one-half; in the hardware manufactures, full one-half; and the export of woollens, though considerably diminished, had, in fact, suffered the least diminution of any. Comparing the exports of woollens to all the world, after deducting the diminution of America, it would appear that there was very little falling off; indeed, less in that article than in any other: from which it was evident that that effect had not been produced by any of our internal regulations. The order which was said to have been received in this country from Russia, and which could not be executed at the price limited, might have had that price fixed so low, that notwithstanding our reduced rate of labour it could not be executed; but was it executed any where else? He would answer that it was not; for in no other place could it be executed for want of British coarse wool, which was only to be had here. He had thought it his duty to inquire into the state of the woollen trade on the continent, and had found it, from the operation of the same causes, still more depressed and distressed than it was here. He thought there was no reason to expect that the tax would affect the export of any articles of which British wool was a component part, and that they were bound to give it a fair trial, not as regarded the revenue, which he conceived to be a secondary consideration, but for the protection of the wool-grower, whom the House would be bound, if they repealed the tax, not to leave in the situation he was before placed in; for he was confident the manufacturers themselves must think the monopoly of British wool was a boon to them, far more than adequate to any loss arising from the tax. If, therefore, it was not thought desirable by any party to open the trade for the export of British wool, it was essential that the British grower should be protected from the competition of the foreigner in the market to which he was limited.

Mr. *Curwen* said, he thought the woollen manufactures, above all others, demanded the peculiar protection of the House, and that a more impolitic tax than the present had never been proposed; for at the same time that it failed to assist the agriculturist, for whose benefit it was said to be laid on, it operated a direct and considerable injury to the manufacturer. Whatever tended to decrease productive labour must be injurious, and this measure was of that description; for it discouraged the woollen trade, which employed a larger proportion of people than any other. He wished that every labouring hand in the country should be productively employed; as many as possible in agriculture, and the remainder in commerce and manufactures.

Mr. *Philips* said, he must give the noble lord's motion his support, because he was of opinion that the tax was calculated to prevent exportation, and by no means adapted to relieve the distresses of the manufacturing classes.

Mr. *J. Smith* said, that in the present state of the country, he should be unwilling to vote for the repeal of any tax, unless it pressed heavily upon the people, and was peculiarly injurious to their interests. The reason for this unwillingness was the alarm he felt from the present financial state of the country. Any measure tending to lessen the means of supporting the public credit should be viewed with some degree of alarm. He did not, however, feel disposed to continue the wool tax, as he considered it liable to great objections. The cloth manufacture was declining when government came forward to propose this duty. It was a branch of manufacture that required a large capital, and the consequence of the tax must have been to lessen that capital, at a time when the manufactures were in want of it. It was probable also, that the great extension of the cotton manufacture was injurious to that of cloth. It was not correct to say, that the tax produced 300,000*l.* a-year.

Mr. *Barrett* opposed the motion. He did not see how this tax could have raised the price of wool, it being in operation only since October last.

The previous question being put, "That that question be put," the House divided: Ayes, 128; Noes, 202: Majority against lord Milton's motion, 74.

BRITISH MUSEUM.] The House being in a committee of supply, Mr. Bankes moved, that 10,009*l.* 16*s.* 10*d.* be granted to his majesty, to be applied towards the expenses to be incurred in the management of the British Museum for the year 1820.

Mr. *Colborne* said, that although the country had every reason to expect that a system of economy should, as much as possible, be adopted, still he would not, on an occasion of this kind, be too rigid in pursuing that system. He should be sorry that so important an establishment as the British Museum, which was indeed a national one, should be cramped for want of proper funds. He suggested the propriety of an easier and more general access to the library, which ought also to be put in better order than it was at present. Considerable public advantage had been derived from the readiness with which admission to the other parts of the Museum was allowed, and many individuals had greatly benefitted by it. He could not help regretting that the same liberality was not acted on with respect to other public buildings. He knew not why those who visited Westminster-abbey, St. Paul's, &c., should be obliged to pay for their admission.

Mr. *Bankes* said, as the trustees of the Museum had some time since purchased a very large library, which cost a considerable sum, they were determined, on this occasion, to ask for such an aid as would not bear too hard on the public funds. With respect to placing the books in a more eligible situation, he was afraid it would require a large sum, because the present building was not in a secure state. On a survey made by one of the most respectable architects in this country, it was declared to be in a state that did not promise durability. But, as to the situation in which the books were, the hon. member might go to the library, and call for any work he pleased, and he pledged himself that, within five minutes, the identical book would be brought to him. He was of opinion with the hon. member, that greater facilities should be given to the public in visiting their national buildings. With respect to the beautiful pile which was in the immediate vicinity of the House, he recollected the time when greater facilities were given to those visiting it than were afforded at present. Why it was so he could not tell. In France public buildings were open to every visitor; but there no person attempted to deface any of the objects shown to them: here, however, a sort of mischievous feeling, which induced individuals to deface works of art, was sometimes observable. With respect to the library, he did not think it was possible, with safety, to allow a greater degree of access to it than was now permitted. It contained many manuscripts and prints, which curious individuals might damage in the course of their examination. In the course of the last year 63,000 persons had visited the Museum, and during the present a great number of individuals had been admitted. That noble collection, (the Elgin marbles) which had been added to the rich stores of the Museum, had tended greatly to the encouragement of the fine arts.

Mr. *W. Smith* thought there never was an instance in which the trustees of any institution had more completely seconded the views of parliament than the trustees of the British Musuem had done. The improvements introduced by them, in the last 10 or 15 years, must strike every man who had visited the Museum before and since that time. He conceived it was discreditable to the country, that other public works were not equally open to inspection. Whosoever went to St. Paul's, at the present moment, must pay for admission, as if they visited an exhibition. The only point in which it differed from an exhibition was, that the public convenience was never once thought of by the persons who showed the place. They thought of nothing but the collection of a trifling tax from those who visited the building from a laudable curiosity or otherwise. There was not to be found in Europe any one building of the importance of St. Paul's, in such a state of filth, and presenting so much of every thing reprehensible as might be observed there. Little attention was paid to the cleanliness or even permanence of that fine structure; and to its beauty none whatever. All that was considered was, the paltry profit of some equally paltry individual.

Sir *R. Wilson* observed, that the doors of St. Paul's were almost constantly closed. In fact, it was neither ventilated by the air, nor visited by the rays of the sun.

The resolution was agreed to.

HOUSE OF LORDS.

Tuesday, May 30.

Civil List Bill.] On the order of the day for the third reading of this bill,

Lord *Dacre* rose to move an amendment on the last clause, relative to the droits of the admiralty, and casual duties; and which he had, in consideration of the convenience of the House, refrained from proposing on the report. It was not his present purpose to inquire into the propriety of the grant made by the bill, or to consider whether parliament was bound by what had taken place in 1816. Neither would he discuss the question relative to the comparison of the prices of that period and the present, though he certainly thought such a comparison just, as the difference of the prices was considerable. But it was his intention to bring under their lordships consideration a subject which did not come within the scope of the inquiry of the committee of 1816, as the fund to which he referred was not then directly under the control of parliament. Had such a committee been appointed on the present occasion, they would have been bound to reduce the amount granted to the civil list, or to direct the particular application of the produce of the funds, which were the object of the last clause, and one of which, the Admiralty droits, produced before the end of last war 500,000*l*. a year. This immense sum was left completely at the disposal of the Crown. He did not mean to say that its application could be fixed, like the civil list, nor that it could be managed by parliament. He was of opinion that the nature of the captures by which it was constituted, rendered it necessary that it should be placed under the disposal of responsible persons. As little did he wish that parliament should direct the remuneration of captors; that was also a matter which ought to be left to the discretion of responsible persons, capable of examining and judging the circumstances of each case. As, however, the committee of 1816 had provided for all the exigencies of the civil list, it became the duty of parliament to take care that a fund which yielded at an average 200,000*l.* should not be misapplied. The possibility of the application of such an enormous sum to civil list purposes should be distinctly precluded. There could be no pretence for such an application, as all the demands of the civil list were provided for, and the expenditure of the different departments regulated. At the end of the bill there was a clause which provided that an account of the sums received for the droits of the Admiralty or the Crown, and the surplus of the 4½ per cent duties, should be returned annually to parliament, together with their application; but the clause overlooked one of the best principles of the constitution, namely, that no monies should be applied without a direct responsibility to parliament. The clause left open the application of enormous sums in such manner as might please persons who were, it was true, responsible prospectively, but not consistently with the principle of the civil list act. The proper arrangement with respect to these droits would be to leave all proper discretion to the ministers of the Crown, but to preclude their misapplication. With this view he proposed to amend the last clause, so as to enact that no part of the said droits should be applied to purposes already provided for in the grant for the civil list, and that the return for the other purposes to which these duties were applicable, should be made according to the manner stated in the bill. The noble lord concluded by moving the insertion of words in the clause calculated to amend it in the manner he had stated.

The Earl of *Liverpool* agreed in opinion with the noble lord, that parliament were in the year 1816 precluded from the consideration of the droits of the Admiralty, or any other casual revenue of the Crown. He was one who, on questions relative to the civil list, would carry as high the authority of parliament as most persons; but he considered it to be a settled principle, that when once a bill providing for the civil list was passed, parliament could not inquire as long as the Crown kept within the bounds of the grant. But if the Crown could not confine itself to the sum granted (for there might be cases in which it would require the limit to be overstepped) and came to parliament for an increase, then the whole question of the state of the civil list became open to discussion. Having admitted this much, he could, however, see no reason why their lordships should adopt the proposition of the noble lord. If they looked back to the provisions made for former sovereigns, they would find that the droits in question had never been touched, any more than other casual revenues. Whether specific sums or certain revenues were granted to the Crown, no subsequent inquiry took place. By the arrangement on the accession of George 2nd, certain revenues were granted to the Crown. It was true a minimum was fixed; but, had the income of the revenues proved double or treble that minimum, the Crown would have left the disposal of the whole subject to the advice of ministers. On the accession of his late majesty a maximum was fixed; but then no attempt was made by parliament to touch the droits or the 4½ per cent duties. The question respecting these droits was at the time fairly before parliament; for the settlement took place in a period of war, and there was at the time a considerable sum of droits on hand. The noble lord's amendment was altogether unnecessary. In time of peace there were no Admiralty droits, and in time of war it was of essential importance that they should be at the free disposal of the Crown. It was impossible that parliament could decide with propriety on the claims of captors. But, in the management of this fund, it was not only remuneration of captures, but restorations to neutrals, that had to be considered; and he was perfectly convinced that war with neutrals had been prevented by the existence of this fund. Cases might occur, in which it would be impossible for the ministers of the Crown to come to parliament and propose the restoration of captures. Popular ideas of national honour might render a settlement by parliament impracticable, which the Crown, in the exercise of its discretion, might easily accomplish. But the noble lord wished to prevent the application of the surplus of these funds to the civil list. Now this appeared totally uncalled for. There was no instance of any improper application of these droits to political purposes, or any exercise of the discretion of the Crown which could give rise to distrust. During the last war, under extraordinary circumstances, the droits accumulated to a large amount, and a considerable sum was employed in aid of the civil list; but this was done under the sanction of parliament. A very small part had been applied to the use of the royal family. There was one instance of the application of 120,000*l.* A sum had been applied for the use of some of the younger branches of the royal family while the noble lords opposite were in administration, and another small sum had been applied at the commencement of the regency; but, these cases excepted, there was no instance of the application of any sums to personal or political purposes. The discretion of the Crown had never been better exercised than in the management of this fund; but he admitted that the present bill proceeded on a new principle. By the former bill there was no obligation to account annually to parliament; but still, with respect to the droits of Admiralty, no account had ever been refused. The bill now before their lordships contained a specific clause, requiring the accounts to be laid before parliament. Where was the chance of misapplication when accounts were to be annually presented? Or would their lordships show more distrust of the Crown than had ever been manifested by any former parliament?

Lord *Ellenborough* wished that the noble earl had agreed to the amendment. The noble earl had said, that the Admiralty droits produced nothing in peace, but peace might not last long. Nothing could more contribute to the true dignity of the Crown than placing this fund under the control of parliament. Such an arrangement could be no loss to the Crown. The spirit of the constitution inculcated a vigilant jealousy in pecuniary matters. The Crown had the power of making war —parliament of refusing the supplies. But the power of withholding the supplies would be a mere nullity, if the Crown could obtain money by captures. He wished to see this practice abolished, and that it should be made the interest of a prince to go to war in the manner of a man of honour, and not like a pirate for his emolument. He did not say that this was done, but the principle on which this fund stood had that tendency, by the temptation it held out. The only object of the amendment was, to prevent the gross misapplication of the droits, and it therefore had his support.

The House divided on the question, that the words proposed to be left out stand part of the bill. Contents—Present, 57; Proxies, 24—81: Non-Contents—Present, 18; Proxies, 3—21: Majority, 60. The amendment was therefore negatived, after which the bill was passed.

HOUSE OF COMMONS.

Tuesday, May 30.

PETITION OF THE CORPORATION OF LONDON FOR A REFORM OF PARLIAMENT.] Mr. Sheriff Rothwell presented at the bar, a Petition from the Lord Mayor, Aldermen, and Commons, of the city of London, in Common Council assembled, setting forth,

"That the great excellence of the British constitution must arise from the independent exercise of the several powers vested in the King, Lords, and Commons; that as the king, by the creation of peers, can add at any time to the members of the House of Lords, if these powers were to unite under evil counsellors, or if by patronage or undue influence they could command a majority of votes in the House of Commons, a despotic power might be established without altering the forms of the constitution; that when the petitioners considered the distressed condition to which the country is reduced in respect both to its agricultural and manufacturing interests, its financial embarrassments and the overwhelming prevalence of pauperism, they are persuaded that for a nation enlightened, honourable, and enterprising, and possessed of vast resources, to have fallen into such a calamitous state, can only have arisen from the want of a due share in the choice of its legislators; that the freedom and purity of election is an essential principle of the constitution, as appears from many of our most sacred laws passed in various periods of our history, especially the third of Edward the 1st, the Bill of Rights, and the second and eighth of George the 2nd, in which it is declared, that the election of members ought to be free; that the election of members of parliament should be free and indifferently made without charge or expense, and that the freedom of election of members to serve in parliament is of the utmost consequence to the preservation of the rights and liberties of the kingdom; that it has been declared by the House to be a high infringement of the liberties and privileges of the Commons of Great-Britain for any lord of parliament to concern himself in the election of members to serve for the Commons in parliament; that nevertheless, by various changes which have gradually crept into the system of representation, it has become such as to produce a general and notorious violation of these essential laws; about 160 members of the House are said to be returned by a number of votes not exceeding 50 (in several instances indeed by less than 10); about 70 other members each by a number of voters not exceeding 100; about 60 others each by a number of voters not exceeding 200 or 250; also that 81 members of the House are returned by peers possessing burgage tenures, and 150 by the interference of peers, as is more fully and exactly set forth in a petition presented by the hon. Charles Grey in the year 1793, and now lying on the table of the House; that although the bribery and corruption disclosed under the recent prosecutions have met with just reprobation from a learned judge, and have exposed some of those who were concerned to severe punishment, the petitioners are, nevertheless, convinced, that so long as the power of electing so great a proportion of the House is exercised by small and inconsiderable bodies of men, all attempts to secure the purity of election by penal enactments and inflictions must be vain, and that the occasional punishment of a few detected offenders will only be subversive of respect for the administration of justice, and rather tend to the concealment than the prevention of such offences; that the abuses to which the petitioners would call the attention of the House, have produced a most injurious change in the nature of our government, and though the system which has been thereby substituted for the ancient and legal constitution of parliament has been openly defended by persons high in office, under the specious appellation of "The Constitution as it exists in Practice," yet it appears to the petitioners, that inasmuch as it encourages bribery, venality, and perjury, and leads to a constant violation of the laws, as it gives to corrupt traffickers in parliamentary interest that control over the government which should belong to the people, and as it is destructive of that happy union and good agreement of the king and people, and of the confidence and esteem which the House ought by its purity to command, the petitioners consider it equally their duty to protest against such a change as to resist any that might be attempted by force or treason; that although the petitioners humbly conceive the extension and better regulation of the right of voting, and the shortening of the duration of parliaments, would be a great and effective reform, they will not presume to recommend any specific plan to the House, but being persuaded that a due inquiry would tend greatly to allay the present discontents, which have been chiefly manifested in unrepresented districts, the petitioners earnestly implore the House to appoint a committee to inquire into the premises, and to take such measures as to the wisdom of the House shall seem meet."

Ordered to lie on the table.

African Company.] Upon a petition being presented from the African Company, for the grant of 5,000*l.*,

Mr. *Gordon* expressed a hope that the prayer of this petition would not be acceded to until the establishments of the company from whom it proceeded should be inquired into by the House. These establishments] were professedly instituted, in the first instance, with a view to the civilization of the inhabitants of Africa; but it was known that they were become mere commercial speculations, in which the interest of each of the speculators was much more consulted than the civilization of the negro. These institutions were, besides, not at all under the control of the British government; and under these circumstances, they formed an anomaly which called for investigation, before any of the public money was voted for their use.

The *Chancellor of the Exchequer* observed, that the proposed grant was to repay monies already advanced by the company, in consequence of a proposition adopted by that House upon the recommendation of a committee, as well as upon the report of our admiral on the station. This, he hoped, would be the last year in which any proposition of this nature would be submitted to the House, and it would be satisfactory to the hon. gentleman to learn that all those British colonies or settlements on the coast of Africa were immediately to be placed under the direction of the executive government.

Mr. *Gordon* expressed himself satisfied with the explanation of the right hon. gentleman, but declared his wish to have the report of our admiral on the station laid before the House.

Ordered to lie on the table.

AGRICULTURAL DISTRESS.] Mr. *Holme Sumner*, in rising to introduce to the consideration of the House the agricultural distresses of the country, regretted that the subject had not been brought forward by some gentleman more intimately acquainted with its details, and more frequently in the habit of addressing the House. He regretted more particularly that his hon. friend the member for Essex, whose great knowledge upon all questions connected with the agriculture of the country was universally acknowledged, had been prevented by the state of his health from bringing forward this motion, for he was sure it would have been matter of infinite satisfaction to the House, if that gentleman had been able to take the lead on this occasion. It was most necessary, however, that the subject should be brought forward, and he felt persuaded that the agriculture of the country was so rapidly advancing to a state of decay, that unless some measures were taken to stop the total exhaustion of capital embarked in it, ruin of an irretrievable character must fall upon that class of the community who were connected with it. He could not but regret that whenever the agriculturists approached that House to complain of grievances, or petition for relief, the members of the House connected with the manufacturing and commercial interests seemed to think that the gauntlet was thrown down, and that it was necessary to meet any measure which might be proposed for the relief of the agriculturists with the most active opposition. The agricultural petitioners did not come before the House to attack the mercantile or manufacturing interests. He felt that the interests of these three classes were intimately and inseparably connected, and that one of them could not fall into a state of decay without entailing the inevitable ruin of the other. The agriculturists did not come forward to encroach upon the commercial or manufacturing interests, but to claim that protection which the legislature had already decided upon the expediency of extending to them. In the year 1815, the House, after the fullest investigation had come to a determination, that a protection was necessary to be given to agriculturists, and the committee appointed to inquire into the subject reported that they could not be effectually protected unless a remunerating price, which was then fixed at 80*s.* a quarter, were secured to them. The petitioners did not come to ask for any thing beyond a remunerating price. The prayer of the petitions at present before the House, was, that the petitioners should have such a remunerating price as would enable them to carry on their trade: they did not ask more at present than the House had formerly acknowledged that they were entitled to; but they showed that the provision which had been made for their protection in 1815 was totally inadequate to the purpose for which it had been intended. And, if the present application for inquiry were acceded to, it would certainly be followed up by a request that the House would do something more effectual for their relief. The language of the petitioners was in the highest degree respectful, and had nothing in common with the tone and character of those petitions which complained that the country had been brought to a state of ruin by a boroughmongering faction, or a waste of the public money. On the contrary, the uniform feeling of the agricultural branch of the community was one of extreme loyalty and affection to the principles of the constitution; and however they might feel the pressure of the public burthens, they felt likewise that it was their duty to bear them to the utmost limit of their power. Had the agriculturists been a factious body, or had they brought forward their petitions with a view of disturbing the public tranquillity, they must have found another advocate. He again expressed his regret, that whenever the question of extending further protection to the agricultural interests was broached in that House, the guardians of the commercial interests instantly deprecated such a measure, and asked whether the manufacturers were not plunged into a sufficient state of distress, but that their misery must be aggravated by raising the price of corn? However the low price of bread might, by diminishing the price of labour, enable the manufacturer to extend his speculations, he was persuaded that the cry of cheap bread had been productive of incalculable injury to the country, and that much of the distress in the manufacturing districts of which the noble member for Yorkshire had complained, was attributable to the delusions which prevailed upon this subject. He would call the attention of the House to the actual existence of the grievances of which the petitioners complained, next to their causes, and lastly, to the remedy for those grievances. It was unnecessary to occupy the time of the House in exhibiting the distressed state of the agricultural interests; there was not a landed gentleman in the House who had not witnessed it. From the year 1806 to 1814 agriculture had prospered to an extent which was unexampled in this country; from 1814 to the present time, its deterioration had been most rapid and alarming. The causes of this deterioration were in many respects the same as those which had contributed to the distresses of the other classes of the community. The cessation at the end of the war of the expenditure arising from 14 millions of taxes, was one of the most obvious causes of distress. There were other causes, however, which were confined to the agriculturists, and he was surprised to hear it stated by an hon. gentleman, who had the character of a great political economist, and whose opinions were always heard with the greatest respect in that House, that if the agricultural interests bore a greater proportion of any public burthens than the other classes of the community bore, he would allow that they were entitled to increased protection. He was surprised to hear this stated hypothetically by the hon. gentleman, for the hon. gentleman must be aware that a large portion of the public burthens did fall exclusively upon agriculturists. Did not the whole support of the Church Establishment fall upon them? Did not the largest portion of the poor-rates, the whole of the county rates, and the whole expense of the highways, with the exception of turnpikes, fall upon landholders? Notwithstanding these general causes of distress, and those particular causes which affected them in a higher degree than other classes, the agriculturists still thought they could go on if the House would protect them against the ruinous consequences of a competition with foreigners, and they implored the House to re-consider their case. It was impossible for the country to relieve itself of its burthens by violating its engagements with the public creditor; and he thought it would be neither consistent with common honour, nor common honesty, to attempt to divest ourselves of any portion of the public debt. Whatever afflictions taxation had left behind, it was to that taxation we were indebted for our liberty and lives, and that portion of our property which had not been expended or mortgaged in securing them. It was impossible, however, that the agriculturists of a country so situated could, without the assistance of some restrictive measures, compete with foreign markets, when corn from the Black Sea could be brought into our ports at half the price at which our own farmers could afford to sell it. It had been contended, that if corn could be supplied from foreign countries at half the price at which it could be grown in this country, it would be better to go to the foreigner, and not grow it at all in this country. He protested against a doctrine which was calculated to bring ruin both upon the agriculturist and the manufacturer. If such a principle were admitted, it was clear that the agriculturist must withdraw his capital; and the consequence would be, that Great Britain must be rendered wholly dependent on foreign productions: one of the most beautiful countries in the world would thus be converted into a perfect desert, and thrown into a state of dependence on foreign imports for the necessaries of life. The provision of 1815 had been said to answer all the purposes for which it was intended, and to have produced an average price of 85*s.* since the passing of the bill. This representation, however, was calculated to deceive the public. A system of fraud and falsehood had been pursued in taking the average prices of wheat, by which it appeared that the English grower received 78*s.* a quarter, when in fact he had seldom received more than 72*s.* He hoped that House would never listen to the doctrine of those gentlemen who said that the cheapest market should be resorted to. The interests of the manufacturer were intimately connected with those of the farmer; and if the manufacturer were to buy his bread where he could procure it at the cheapest price, the consequence would be that the farmer could not purchase his manufactures, and thus both would suffer. The petitioners did not pray for any specific remedy, but they were desirous of being admitted to prove, either at the bar of the House, or before a committee, that the provisions in the act of 1815 had failed as entirely of their object, as if that act had never passed. They stated general grievances, and left it to the wisdom of the House to devise the means by which their sufferings might be mitigated. He could not take leave of this subject without adverting to the petition from certain merchants and manufacturers, which had been presented by the hon. member for Taunton. There were no doubt in that petition many principles that could not be denied; but they were wholly inapplicable to the state of society in which we now lived. He would take the opportunity of saying, that he thought there was no great wisdom or propriety in the mode in which that petition had been introduced. It was brought forward at a time when the agricultural petitions were known to be in the hands of many members, and its main object was, to prejudice the interests of agriculturists, to indispose the House towards a consideration of their grievances, and to operate as an antidote to the effects which their petitions were calculated to produce. If the hon. gentleman who opened that subject to the House with so much ability, wished to disguise the real object of the petition, he could not congratulate him upon his success, for, whatever temper and discretion he might have shown in every other part of the subject, whenever he came to speak of the agriculturists he lost his temper,—he lost his discretion, and it seemed impossible for him to speak of that body in any other terms than those of the most unceremonious rudeness and incivility.—The opinions of the agricultural petitioners might be below the notice of the hon. gentleman, and might be, as he had called them, "a farrago of nonsense;" but surely their distresses might at least have screened them from incivility. He was sorry he had trespassed so long on the time of the House, and feared he must have appeared to have lost the connexion of what was more perfectly arranged in his mind when he entered; but he should now at once come to his motion, which was, "That the several petitions presented to the House upon the subject of Agricultural Distresses be referred to a select committee, to consider the matter thereof, and report their opinion thereupon to the House."

Mr. *Gooch* said, that he considered the question to be of the most vital importance, and that however reluctantly he trespassed upon the House, he felt he should not discharge his duty unless he shortly stated the reasons which induced him to second his hon. friend's motion. He was certainly one of those who thought that nothing could be more mischievous, to say no worse of it, than to attempt to separate the interests of agriculture from the interests of any other great branch of the national industry. But the subject under consideration came recommended to the House on another and a very different principle. He would not say that the motion was not intended for the benefit of agriculture, but he would say, that, although, coming from an agricultural part of the kingdom, he certainly did feel a bias in favour of agriculture, yet, if he knew any thing of himself, he was one of the last men in the House, or the country, who would support a motion, the tendency of which would be to injure one class of the community for the advantage of another. A few years since the legislature passed a bill the object of which was to secure to the agriculturist a price which would enable him to cultivate the land without loss to himself. That bill had, however, been totally inoperative. It had not answered the purpose for which it was intended. In consequence of the defective way in which the averages were taken, it was made to appear that the farmer got 80*s.* a quarter for his corn at the very time that he was actually getting only 72*s.* Those averages were taken by persons who bought corn, and who were therefore interested in keeping up the apparent price. In some instances they were also taken in districts where little corn was grown, and where the freight was naturally added to the price of the corn. All that the agriculturists asked was, that the bill of 1815 should be made complete and effective for the purposes for which it had been passed. Our ancestors thought agriculture worthy protection, and he could see no reason why it was not as worthy of protection at the present day. How was it possible that, without protection, an English farmer could compete with a foreign farmer who had no poor-rates, no tithes, and comparatively little taxation to pay? He did not mean to enter into the question, whether our present taxation was just or unjust. He knew very well that we could not do without taxes. It was perfectly idle to talk of such a thing. But then came the question, how the British farmer and landlord were to meet this great taxation? If they were not protected, how could it be expected that they would be able to contribute to the revenue? If the farmer could not sell his grain, the landlord must lower his rents, and how could he then pay his share to the revenue, or to the support of the poor? He felt his inadequacy to expatiate on this important question; but he also felt that if he had not thus briefly declared his sentiments upon it, his constituents would have had a right to tell him, that what he had said to them when he met them, he had been afraid to say to the House of Commons.

Mr. *Robinson* expressed himself extremely sorry to be compelled to address the House on a subject of such importance, at a time when he was labouring under a degree of indisposition that he was apprehensive would prevent him from making his statement so clear as he wished to make it; and he felt that on that account he must request the idulgence of the House, should he not be so explicit as he could assure them it was his earnest desire to be. Among the various subjects to which the attention of parliament was from time to time directed, there never in his opinion was one which required to be treated with more reserve, and more caution, and he would add, with less frequency than the question which his hon. friend the member for Surrey had just brought under the consideration of the House. On all topics connected with the subsistence of the people, there necessarily prevailed so much apprehension, and he was by no means disposed to deny, so much prejudice, that at all times and in all countries, such topics had been considered as involving matters of peculiar delicacy. So much was he impressed with this opinion that he confessed he felt great regret that the present discussion had taken place. When, at the commencement of last year, an expectation appeared to be entertained that the attention of parliament would be called to the revision of the corn laws, he and his colleagues had felt it to be their duty to state unequivocally their decided conviction that it was not expedient to alter the existing law. In communicating that opinion he had endeavoured to be as explicit as possible, not merely because he thought it his duty to be so, but because he flattered himself that so unequivocal a declaration might lead to the result that the subject would not be pressed. To that result it certainly did lead during the last year, at least as far as the House of Commons was concerned. Ever since that period, however, great pains had been taken in the agricultural districts to excite a conviction that the existing law for the protection of agriculture was inoperative. Associations were established from one end of the kingdom to the other, for the purpose of concentrating in one mass the whole of the agricultural population, in order to bring their case more effectually under the consideration of parliament. In addition to this, it was deeply to be lamented that a kind of manifesto had been issued by an individual, whose name had been very conspicuous in these transactions, in which manifesto (for he could call it by no other title) the case of the agriculturists had been stated with a great degree of culpable exaggeration. He did not pretend to say that there was no agricultural distress. It would be very preposterous to assert any such thing. But he did take the liberty of expressing more than his doubts that that distress was universal. On this subject he had heard with great pleasure a noble lord, one of the members for Yorkshire, declare that to one part of the country at least the distress had not arrived at the extent described by others. As far as his (Mr. Robinson's) personal knowledge went, he did not see about his own residence those symptoms of extreme distress which it was said had betrayed themselves elsewhere. He saw no tenants leaving their farms, no cultivators afraid of speculating, no rents annually in arrear, no poor-rates continually increasing. He was not so absurd, however, as to believe, that, because in that part of the country which came under his own observation he did not see any distress to a considerable extent, it did not therefore exist in other parts of the country: that would be as absurd as appeared to him to be the conduct of those who, seeing great distress around themselves, necessarily concluded that there must be equally severe distress every where else. He by no means, therefore, denied the existence of distress. But the question was—first, what were the causes of the distress? Secondly, what was the remedy which it might be fit to apply? The immediate and direct causes of the distress undoubtedly were, the reduction of the price of corn, and the diminution of the demand. But parliament would involve itself in inextricable error, if, before it adopted any proceeding on the subject, it did not look more deeply into the primary cause which had occasioned the reduction in the price of corn. By doing so, all would see that as the present distress could not have been created by any deficiency in the corn laws, it therefore could not be remedied by any alteration of the corn laws. It was, in his opinion, impossible for any man to contemplate the events of the five and twenty years of a struggle of unprecedented duration and singularity—it was impossible to contemplate all the extraordinary and various circumstances which attended the late war, without perceiving in those circumstances the real cause of the present agricultural distress. The consequences of that war—a war unlike in its character to any former contest, were such as had never before been experienced in the world. In some countries its tendency was to destroy capital; but in this country its tendency was to accumulate it, and to give an artificial stimulus to every species of our manufactures and agriculture. No man could deny that in consequence of the rapid rise in the value of agricultural produce, occasioned by various circumstances, and above all by the occurrences of the war, an immense capital was embarked in the cultivation of the land, which would never otherwise have been so employed. It appeared to be thought by some that the natural level of the price of corn, was that which would pay the cultivator of the worst land actually in cultivation. It was evident, however, that there was no land, however inferior in quality, which would not produce corn, provided a sufficient capital were expended upon it. But would any man say, that it was possible the legislature could justly be called upon to adopt such measures as would retain bad land in cultivation, when the circumstances which had originally led to its cultivation were totally changed? It was not by any act of the legislature that that land had been called into cultivation, and it was not therefore to be expected that by any act of the legislature it should be continued in cultivation. But it had been stated by his hon. friend the member for Surrey, and by the hon. seconder of the motion, as well as by many other persons, that the law which was passed in 1815 was totally inefficient, and it had been so characterised because it had not produced to the farmers the price of 80*s.* the quarter for their corn. Now he confessed that if his hon. friend thought that it was the object of the bill to secure that price to the farmers, his hon. friend's view of the motives which led to the introduction of the bill were very different from the actual motives which induced him (Mr. Robinson) to propose it to parliament. On making that proposition, one of the arguments which he had urged against the opponents of the measure, who contended that if it were adopted 80*s.* would thenceforward be the *minimum*, was, that in his opinion 80*s.* would thenceforward be the *maximum*. If the bill had failed to produce to the farmer 80*s.* a quarter, it had failed to produce that which it had never been intended to produce. It was impossible that it could produce that which the agriculturists expected, if they calculated upon its operation being similar to that of the circumstances which had maintained the price of agricultural produce during the war. The object of the Corn bill was simply to relieve the farmer from the apprehension of an overwhelming foreign competition, and thus to encourarge him in the proper, but not in the extravagant application of capital to the purposes of cultivation. His (Mr. Robinson's) argument in favour of that bill was, that by its operation the quantity of corn would be increased, which would necessarily diminish the price. It was evident, therefore, that the law was never framed for the purpose of producing to the farmer the price of 80*s.* a quarter for his corn. If, however, this general argument were considered insufficient, let the House look at the practical effects which had followed the passing of the Corn bill, and consider what had been the actual price of domestic, and the actual importation of foreign corn during the period that had since elapsed. During the last five years the importation of foreign wheat had amounted to 3,483,675 qrs. From this must be deducted 324,546 qrs. remaining in the warehouses, and 770,437 qrs. which had been exported, leaving the amount which had been added to the consumption of the country in five years 2,388,692 qrs.; being at the rate of about 477,000 qrs. per annum. This might appear a formidable quantity of foreign corn to throw into our consumption; but if the House looked at the average price of corn during the last five years, they would find that the agriculturist had not suffered from it, for that average price was 78*s.* 10*d.* per quarter. It appeared that under the operation of this very bill, which parliament were told had ruined the agricultural interest, the farmer had received on the average 78*s.* 10*d.* a quarter for his corn. It was true that the importation of foreign corn was unequal, as it necessarily must be. It was true, that in the years 1817 and 1818, the first of which followed one of the worst harvests ever known in this kingdom, and was in itself a year of unequal and uncertain character, 2,600,000 quarters of foreign corn had been imported. But then what was the price of corn? No less than 89*s.* 6*d.* a quarter. That was the average price of corn during the two years in which the largest quantity of foreign corn had been imported. It was also a remarkable circumstance, that if the House referred to the quantity of corn imported, and to the price of corn from the year 1792 to the year 1809, they would find that during those seventeen years the average quantity of corn imported, and the average price of corn were as nearly as possible the same as the average quantity of corn imported, and the average price of corn since the passing of the Corn bill in 1815; for it appeared, that from 1792 to 1809, the average quantity of corn imported was somewhat less than 500,000 quarters, and the average price of corn was 78*s.* 6*d.* a quarter. If the average price of corn during those seventeen years were considered a sufficient remuneration for the farmer, if it were considered a sufficient inducement to him to cultivate the soil, and if it were considered that it left him in the condition in which every man must wish that the farmer should be left (for he supposed no one would suppose that he would be so preposterous as to grudge the fair gains of the agriculturist, or not to join in a wish which must be entertained, even for their own sakes, by all who were possessed of landed property), he really was at a loss to discover why a similar price should not be sufficient for the same purposes during the five years that had elapsed since the passing of the Corn bill. There was another view which he was desirous to take of the subject. The House had been told of the existing distress of the agriculturist. But how was it possible to charge that distress on the existing corn laws, and to maintain that the low price of corn was attributable to them, when the fact was that no foreign corn had been imported since February 1819, at which period he believed that there was not a single quarter of foreign corn in the warehouses? However low, therefore, the present price of corn, it could not with justice and reason be attributed to any inefficiency in the present law. But, he would ask, was it a trifling matter to be perpetually calling on parliament to make some alteration in the laws on this subject? Was it nothing that a question of such delicacy, of so serious a nature, should be so repeatedly agitated? To him it appeared that such a proceeding was pregnant with the greatest mischiefs. He had never supported the Corn bill on the ground of its being a positive and indisputable good; on the contrary, he had always maintained that it was only a choice between evils. In proportion to the difficulty with which parliament came to such a choice, ought to be the caution with which they meddled with or disturbed it after it had been made. In opening the case his hon. friend had said that the petitioners on the subject did not ask for any specific remedy. He (Mr. Robinson) confessed, that, on the contrary he thought they did particularize a specific remedy.—But of this he was satisfied, that the House would find a specific remedy recommended in the manifesto to which he had already alluded, and in which every agriculturist was told that it was the only remedy that could save him from ruin. On that remedy his hon. friend, the member for Surrey, had not touched. He meant the extraordinary proposition of substituting for the present law a permanent duty on foreign corn of 40*s.* a quarter This might be a protection to the agriculturist in times of plenty; but in times of scarcity it was impossible that it could be tolerated. No government could conduct the affairs of the country in a season of dearth, without being driven to the necessity of making a change in such a regulation. If he were told that instead of 40*s.* a quarter, which in bad seasons would be an intolerable burthen on the population, a duty of 20*s.* a quarter might be substituted, he would reply that to the agriculturist such a duty would be useless. If, for instance, such a duty were in existence at the present moment—if to the 32*s.* a quarter, at which foreign corn might be imported, a duty of 20*s.* a quarter were added, the whole would not nearly amount to three pounds; and it was evident, therefore, that under such a system agriculture would be in a very much worse state than that in which it was at present. The plan, therefore, so strongly recommended, was calculated to produce the greatest possible mischief. His hon. friend had said,—and he (Mr. Robinson) knew that great stress was laid on the argument by those who had unfortunately been taught to believe that the legislature could remedy their grievances—that much fraud existed in the mode of taking the averages. For his own part, he had always thought, and he still thought that the greatest possible delusion prevailed on this part of the subject. It was supposed that the price obtained by the agriculturist would not so soon be made to appear to rise to 80*s.* a quarter, if the average were struck by a different mode. If, for instance, instead of taking the separate average of different markets and different districts, and adding those averages together, the plan was adopted (a plan certainly very plausible in theory) of taking all the quantity of corn sold in the maritime districts, and the price at which it was sold, and thence forming a general average, it was supposed that the result would be extremely favourable to the agriculturist. With a view to ascertain the accuracy of this supposition, he had made some calculations which he fancied would very much surprise those by whom it was entertained. He had taken the average price of grain in the twelve maritime districts for six weeks preceding the 15th May, 1820, as estimated in the usual manner, and he had taken the average price of grain from the total quantity of grain, and the total price, as recommended by the agriculturists. For the week ending the 8th of April, it appeared that the average price of wheat, according to the former method, and published in the gazette was 70*s.* 2*d.* a quarter; the price according to the latter method was 71*s.* a quarter. The price of rye for the same period was, according to the former method, 43*s.* 7*d.*; according to the latter method, 44*s.* 1*d.* The price of barley was, according to the former method, 35*s.* 4*d.*; according to the latter method, 35*s.* 1*d.* The price of oats was, according to the former method, 24*s.* 11*d.*; according to the latter method 24*s.* Thus it appeared that, of the four species of grain, wheat and rye were higher by the proposed alteration in the mode of taking the estimate, and that barley and oats were lower. This would at least prove that the change recommended would not be so advantageous, as those who had suggested it imagined. He would not trouble the House by going through the details of the other weeks. It was sufficient to say, that out of the six, five exhibited similar results. Unless therefore the calculation he had made was totally erroneous (which he was by no means disposed to believe), what, he asked, was the object in proposing the change in the mode of taking the averages? It could do no good; and could have no other effect but to put the whole country into a state of agitation and ferment. The introduction of the Welsh counties into the averages had also been objected to. It had been said, that it was absurd to take the average of parts of the country which were so little productive of corn, and that they had better be omitted. The Welsh counties composed the eighth and ninth maritime districts, and Monmouth part of the tenth. Now with a view of discovering how far the objection to their introduction was well founded, he had made a calculation of the averages with the omission of the Welsh counties. According to the view of the agriculturists that omission ought to diminish the price. The reverse was, however the fact. If the eighth and ninth districts, and Monmouth as part of the tenth, were omitted from the calculation of the average price of corn, that average price would be found to be much higher instead of lower. Thus then it appeared that parliament were required to make an alteration on the greatest possible delusion by which several millions of people had ever been deceived. He would by no means assert that the system of taking the averages was perfect. He did not think that the whole system of the corn laws could be perfect. It was, as he had before said, a choice of evils. But, unless a specific ground could be shown for making an alteration in the system, he strongly deprecated the agitation of the whole country by repeated discussions on the subject. He knew that the averages might be imperfectly, and he admitted that it was just possible they might be fraudulently taken. But that imperfection, and that fraud (if fraud there was), might be in favour of the agriculturist as well as against him. At a trial which had lately taken place in Liverpool, it was proved that the object of a person who had made a false return was not to raise, but to lower the apparent price of grain, and that he had succeeded in that object.

The agriculturist, however, contended, that all the fraud must be on the side of those who wished to raise the apparent price. But it was evident that it might be the interest of a corn-dealer to lower the apparent price; and as to imperfections, they might tell in favour of the farmer as well as against him. His hon. friend had likewise declared that a great deal of foreign corn was smuggled into this country. Now really he (Mr. Robinson) did not know how that could well happen. No information of that nature had ever reached him. The fact had never been communicated to the office with which he was connected; and he confessed that he had never entertained any suspicion of its existence. He certainly knew that excessive alarm had been excited from the idea that a great deal of foreign corn had been introduced from the Isle of Man and from Guernsey and Jersey, under the pretence that it was the produce of those islands. He had looked closely into the affair, and he had no reason to believe in the existence of fraud. It had always been the custom of those islands to export a few hundred quarters of corn annually to this country; they had never exceeded their usual quantity, and he therefore believed that the alarm which prevailed on the subject was utterly destitute of foundation. Although he was decidedly of opinion that none of the alterations which had been suggested would be at all beneficial to the agriculturist, satisfactory to the country, or generally expedient, he did not mean to say that there might not be ground for examining the execution of some parts of the law. There might be fraud or error or deficiency in the mode of administering the law. To the reference of such an examination to a committee, if his hon. friend wished it, he had no objection. Did his hon. friend think that the law which regulated the appointment of inspectors required amendment? He (Mr. Robinson) doubted it. The fact was, that few persons with whom he had conversed, seemed to be aware of what the law was; but whose fault was that?—The law invested the magistrates at the quarter sessions with the right of appointing inspectors, and of course with the right of removing them if they neglected or betrayed their trust. Why, then, were not fit persons appointed? That fit persons were not always appointed he knew; for, in one of the Welsh counties, one of the inspectors was a lady. It was certainly not a proper employment for one of the fair sex; but, then, why did the magistrates appoint her? It might be said, that the salary was so small that it was insufficient for the remuneration of fit and qualified persons; but whoever said so, laboured under a misapprehension of the law. The law provided that the inspector should have five shillings on each return, which was to be levied on the county. But it went further—and provided that when that remuneration should prove insufficient, it should be competent to the magistrates at the quarter sessions to increase it by a county rate. He did not, therefore, believe that the law had had a fair trial. He did not believe that the magistrates had made use of the powers which the law gave them. There was one part of the subject to which he believed his hon. friend had not adverted—he meant the warehousing system—on which he wished to be permitted to say a few words. By some persons it was supposed that the warehousing of foreign corn was a great evil, and that it had a tendency to keep the farmer in continual alarm of being crushed in the market, the moment the ports were opened, by the immense stock of foreign grain which would pour in upon him from those warehouses. The consequence, however, of not allowing the corn to be warehoused here would be that it would be warehoused on the other side of the channel; and as ships flew on the wings of the wind, the disaster would reach the farmer from Holland almost as speedily as it would from Essex. The only effect of a change would be to deprive the British capitalist of the advantage of building warehouses and of employing persons in them, without the acquisition of any imaginable advantage. If he had been more equal to the task, he should have been glad to have gone at more length into the abstract parts of the subject, and have explained more fully his views upon it. He had stated enough, however, to show that he conceived the main cause of the existing evil was the state in which the country had been for 25 years. He did not speak of the transition from war to peace, or of the cessation of loans and the demands of government; but he maintained that agriculture, being in an unnatural state during the war, had at its termination relapsed into its natural condition. He repeated that he did not here speak merely of a change from war to peace; great and astonishing as that was:

> "Defluit saxis agitatus humor;
> Concidunt venti, fugiuntque nubes,
> Et minax (quod sic voluere) ponto
> Unda recumbit."

He should be indeed surprised if any argument could be adduced to prove that that unnatural state was not the primary and operative cause. And if it was so, it was idle to suppose that it could be remedied by any legislative measure? He deeply lamented, therefore, that the subject had been again agitated, and that the petitioners to parliament, many of whom demanded respect and even affection, had been misled into the belief that something could be done, which it was not in human power to accomplish. He repeated, that if his hon. friend would confine the inquiries of the committee to any abuses which might exist in the execution of the law, he would consent to its appointment; but he should abandon the duty which he owed to himself, and to the country which he would fain endeavour to serve, if he did not protest against any change in a law which, while it could extend no relief to this class of the community in the present instance, was calculated to occasion much general inconvenience and injury.

Mr. *Western* thought it was impossible the House could reject his hon. friend's motion. He had the honour to represent a county which was as capable of sustaining the existing pressure as any county in the kingdom, but which was nevertheless exhibiting a declining capital, and other circumstances indicative of much distress. The petitioners to the House did certainly expect some legislative measure more protecting than the act of 1815. For himself, he absolutely disclaimed any intention by legislative enactments to bolster up the value of corn, for the purpose of securing a remunerating price to the farmer. The object which he had always had in view, was to render this country independent of a foreign supply. For the expediency of that policy he had always contended. In 1815, he had maintained that the bill then passed was not sufficient. And so it had proved. The British farmer had not sufficient security and encouragement, or he would fertilize every acre in the kingdom. In all our former corn laws, the price at which importation had been allowed was always greater than the average price in the country. For instance, in the first act on the subject, passed in the reign of Charles 2nd, the importation price was fixed at 61s. while the average price in the country was only 33s. In the subsequent acts, the importation price was also considerably higher than the average market price in the country. The import price, in 1773, was lowered from 61s. to 48s.; but looking at the market price for three preceding years, it was at 43s. In the year 1790, the import price was 54s., the market price 49. or 50s., before the ports were open. In 1804 it was 60s. In 1815, the average was fixed at 80s. but if they looked back to the average market price of ten preceding years, they would find it was 93s. Surely then, 80s. could not be fairly called a protecting price? This departure from the original principle of our corn laws was the chief cause of the late measure being inadequate to its object. Under the present regulations, the country was subject to be occasionally inundated with foreign corn. Adverting to the statement made by the right hon. the president of the board of trade, of the quantity of foreign corn imported in 1818, he asked if that could be called a protecting measure which in one year, or even in six months, admitted as much corn into this country as had ever before been introduced in two years of the greatest scarcity? The fact was, that the agricultural produce of this country had been discouraged to such a degree that it could not now be easily restored, and with that discouragement had departed the national prosperity, upon which the community at large depended. The distresses of the agriculturists produced that of the manufacturers; the former took the lead, the latter of necessity followed. It might be proved by fair reasoning supported by facts, that the depressed state of agriculture was the primary cause of the distresses of the manufacturer; in all cases the farmer first had been embarrassed, and the difficulties of the manufacturer had followed as a consequence. Take, for instance, the distresses of the agriculturists in 1815 and 1816. It would be in the recollection of the right hon. gentleman opposite, that the rapid decline in agriculture in those years was immediately followed by a similar decline in the value of our manufacturing produce. In 1816 corn had risen to an extremely high price, to so much as 120s. per quarter, and then our manufactures were very flourishing;

but at the end of that year it fell to from 65*s.* to 70*s*, and at that period the declension of our manufactures was equally felt. In 1817 corn rose again in price, and with it rose the manufactures and other interests of the country. A paper which had come into his hands in consequence of the late discussion of the tax on foreign wool, powerfully illustrated the fact of the depression of agriculture producing a corresponding depression in manufactures. It was an account of the quantities of yards of broad cloth milled in the West Riding of Yorkshire in different years, and it showed that the falling off in that manufacture there went almost *pari passu* with the declension in the value of agricultural products. From this it appeared that about the end of 1816 the average annual quantity fell from six millions to three millions of yards; that in the course of 1817 it rose to three, four, and five millions; but that now again there was a reduction to nearly one half of what it had been in 1817. The home consumption of our manufactures must depend upon the prosperity of the farmer. The distresses of the country did not arise from the high price of corn; on the contrary, it was found, that as that price declined, the public distress increased, and must continue. It was true in the abstract that cheap corn was an advantage to the country; but cheap corn must be so considered, not by the lowness of price, but relatively to the price of labour. Corn might be sold at a very low price, and yet be very dear to the consumer; and *vice versa*, at a high price, and yet be cheap. He would ask the House whether the labourer had been benefited by our lowest prices of grain? By no means. The misery was, that there was not at such periods a market for labour. The labourer was, therefore, reduced to a state of misery, of degradation, and of irritation, more dangerous to the tranquillity of the country than any other circumstance could possibly be. He would ask whether corn could rise in price without causing a corresponding rise in the price of labour? Who was it who purchased the corn of the country? Certainly the great mass of the population. The agriculturist could not look to the opulent portion of society as his purchasers, it was the mass of the population who were to be looked to, and if they could not afford to purchase, the price of corn could not rise. The labouring population of this country was calculated to be 5,000,000, now it was understood that the wages of that part of our population had decreased on an average 4*s.* per week. There was, therefore, a decrease of 52 millions in the amount which the labourer brought annually into the market. The effect of this, added to the diminution in the issues of the Bank of England paper, and the consequent and sudden subduction of a country paper currency to the amount of many millions could not fail to produce the most depressive effect on the agricultural, and consequently, on the manufacturing interest, since such a reduction became the cause of reducing the value of the products of industry. The national debt, and other burthens, became almost intolerable under these circumstances, and operated on all classes with increased effect. He trusted the House would agree to the motion for a committee, since the object the petitioners had in view was sanctioned by the precedent of late years as well as by a provision of a similar nature (although inadequate to the purpose intended, that of protecting our agricultural interest) passed upwards of one hundred and fifty years ago.

Mr. *Baring* expressed the satisfaction with which he had heard the speech of the right hon. the president of the board of trade. Notwithstanding the want of temper which had been charged upon him on this occasion, he could assure the House that he would view this question with as much calmness and temper as any member, even the hon. mover, who was so distinguished for coolness and patience, could possibly do. So convinced was he of the impolicy of bringing forward any question which could agitate the public mind, that he felt great reluctance to enter on the subject. He had opposed the Corn bill in the first instance, and he had since had no reason to change the opinions he had then stated. At the same time he was convinced of the general impolicy of disturbing the system on which a great country moved and acted, and which it was highly important that the inhabitants of that great country should think solid and permanent. This consideration had deterred him from saying any thing upon the subject from the passing of the bill to the present time, though it had confessedly turned out, as was predicted to be totally inadequate to give those whose interests it was meant to serve that protection they required; the result had also further shown the fallacy of endeavouring to put a permanent artificial price on a necessary of life by any legislative measures. So strongly did this conviction operate upon his mind, that if he thought there was the least chance that the proposed committee would arrive at the conclusion to reduce the protecting price of corn, he would consent to its appointment. The motion had, however, been introduced somewhat late, and the hon. mover had omitted distinctly to state the various objects he had in view, though that defect had been amply supplied by the manly avowal (consistent with his general character) of the hon. gentleman who spoke last, who had admitted that his purpose was, to obtain a higher protection, though without mentioning to what extent he would carry it. The hon. member for Essex had ascribed the general distress of the kingdom to the low price of corn and the low price of wages. But in what situation would the poorer, the industrious and labouring classes, find themselves if the price of corn were now 40 or 50 per cent higher than it actually was? His hon. friend had not stated to what extent he would wish the price to be carried; but what, he would again ask, must become of those multitudes, those beehives of population, that were to be found in our manufacturing towns, if any considerable addition were to be made to that price? Already we stood at double the price of the rest of the world, but with this some hon. gentlemen were not satisfied; would they then wish it to be trebled? It was impossible that any man, calmly reflecting on the principles which formed the basis of our commercial and manufacturing interests, should conceive that they could exist under circumstances so unfavourable. He was aware that the sentiment amongst many was, that a high price of corn must be had at whatever risk, and let the consequences be what they might; that if manufactures would be ruined by such a measure, still that the sacrifice was necessary. Now, in the first place, it should be remembered, that what enabled us to bear the present price of agricultural produce, which was double its price in any other country, was the superior industry and trading habits of our own people. If the state of society were to be completely changed, and we were to become an agricultural people merely, it was impossible that the existing artificial prices could be maintained. The only hope of a large profit must then be derived from exportation. The agriculturist had, in fact, as deep an interest in the prosperity of manufactures as the persons more immediately engaged in them—as deep an interest as he had in the cultivation of the land itself. It was the interest of the agriculturists to look to and foster the manufacturers, as it was impossible that the one could improve or decline without producing a corresponding rise or depression on the other. This opinion, he was happy to observe, was now gaining ground, and all endeavours to separate the agricultural from the commercial interest would probably be unsuccessful. His hon. friend had furnished a calculation, the correctness of which he (Mr. Baring) had some reason to doubt; but by which it appeared that three-fourths of our manufactures were consumed at home, and one-fourth only exported. But even on that supposition, if a fourth fell off, it must greatly prejudice the remaining trade, and the means of carrying it on. The prosperity of the country could only be upheld in the aggregate, and the subject ought to be considered in no other than that general light. It was idle for one class to suppose that it could derive any permanent advantage from the depression of another. His hon. friend had said, that for the ten years preceding the last act regulating the price of corn, that price was as high as 93*s.* per quarter, and seemed to intimate that this would be a fit price at the present day. But his hon. friend entirely overlooked the alteration which had taken place in the value of our currency—an alteration which, as nearly as he could calculate, left the price at the exact point which his hon. friend thought so desirable. Corn being now at 78*s.* was from our altered currency, as near as possible what it was when its nominal value was 98*s.* It had been already fully shown that the present depression of agriculture was not ascribable to the introduction of foreign grain, for during the last fifteen months none had been introduced. If the importation price had therefore been 100*s.* instead of 80*s.* the occupiers of land would have been in the same condition. All this seemed to prove that the price of corn could not be forced up by parliamentary enactments, but that it depended on a great number of relative circumstances. It was true that the farmer was now suffering; so was the manufacturer, and indeed every class of the community. His hon. friend seemed to think that the cause of all the evil was, that the farmer could not purchase from the manufacturer; but so it might be represented the other way, that the manufacturer was not able to deal with the farmer, or find consumption for his produce. It had been recently shown to the House by an hon. member, who read the contents of a paper brought up to town by the gentlemen who composed the deputation from Birmingham that there had been a falling off of from 56,000 to 48,000 black cattle in the consumption of that town; and a similar falling off in the consumption of sheep. This circumstance went to prove, what was before obvious to all who were conversant with the subject, that distress amongst the poor manufacturers naturally led to a diminished consumption of meat. When his hon. friend, therefore, dwelt so forcibly on one side of the question, it was necessary to look a little at the other. The great portion of decrease in the demand for landed produce arose from the inability of people to pay for it. He might illustrate this position by a reference to the state of things in Ireland, where a large body of the inhabitants had not the means of consuming animal food, and the higher kind of agricultural produce; and where even wheat became a luxury. Some hon. members had argued this subject as if foreign corn was, in point of fact, continually interfering with articles of their own growth, whilst in reality they could not obtain a larger profit, although an entire restriction were placed on the foreign commodity. The general principle, as he understood it, of the last Corn bill was, to give the farmer a monopoly of the home-market to a certain extent, and up to the indication of incipient scarcity. That indication was fixed at 80 shillings; and the only question now was, whether this limitation ought to be removed to a higher sum. When they considered that in France the price at which symptoms of approaching scarcity were thought discernible was 50 shillings, and that the French government had made large purchases of foreign corn when the home-market had reached that price, it was easy to determine a question of this nature. It might happen that when the price here had arrived at its maximum, we should find the foreign supply already swept off by our neighbours. Such a state of things would, he apprehended, present a crisis far more awful to us than it would be to France, or any other country, under the circumstances in which we were placed, with millions of men for whom there was no adequate employment. It was undeniable that all classes had now to manage with a diminished revenue, and were compelled to retrench in every mode, and adopt stricter habits of economy. He regarded the present motion as an effort on the part of the landed proprietors to avoid yielding to the same necessity, and to procure in their own favour an exemption from the common lot. He was desirous of stating his opinions with due respect, but this was the view which he entertained. It was his full persuasion that they would soon discover their mistake, and that, if they should obtain a protecting price of 100*s*., or a complete exclusion of foreign produce, they would find, in the result, that they had only made way, through the ruin of other interests, to their own. It was vain to expect that they could maintain themselves in the same situation in which they had stood during the war. Prices had been forced up, and must inevitably come down. He believed that any attempt to raise by further means the articles either of our home consumption or of our foreign exportation would be to bring them still lower than they would otherwise descend. Let them look at the case of a small landed property—at the situation in which a large part of the yeomanry stood, who had mortgaged their patrimonies to purchase land, but who now found that with their utmost efforts they could not pay the interest of the money from any profits which they drew from the land they had purchased. This was a lamentable situation; and if any remedy, upon principles of sound policy, could be suggested, he should be happy to give it his support; but was it possible to suppose that such distress could be remedied by any artificial mode of raising the value of agricultural produce? Great stress had been laid on the burthen of taxes which fell peculiarly on agriculture, but he was not aware of any that did not press with equal weight on every other interest. A great deal of conclusive evidence as to that point had been adduced before the last committee on the corn-laws, and it showed that there were no direct taxes of any moment on agriculture, or at least that they were inferior to those which every branch of trade and manufactures laboured under. With the exception of the agricultural horse-tax, they were of a trifling nature, and bore no proportion to the heavy imposts on all other branches of industry and employment. As to parochial rates for the support of the poor, he admitted that they were very heavy, but in some form or other the poor of all countries were supported by the land; and when he heard so much said about tithes, he was tempted to suppose that gentlemen had forgotten the possibility of a tithe-holder being a lay proprietor. The truth was, that in almost every country a tax on land was the principal source of revenue. In France the land-tax was estimated at about 20 per cent, and parochial rates were levied, which, though not attended with the same abuses, or carried to the same absurd extent as in this country, were directly chargeable on the land. In Germany and Poland the case was similar, and he could not but infer that gentlemen were unacquainted with these facts when they alluded so often to the extraordinary burthens which landed property had to sustain amongst ourselves. With respect to the petitions themselves, it was not pleasant to make any observations that might appear severe; he was, however, compelled to say, that the conduct of the petitioners on the present occasion was altogether unprecedented—unprecedented, he would say, save in the instance of those petitions for universal suffrage, which had been presented to the House some years ago. Much the same efforts were used, much the same artifice had been employed in both cases. Mr. Hall had certainly the merit of activity in calling meetings, and perseverance in recommending the same resolutions and the same petitions to every district in the United Kingdom. No doubt, however, he who read the first sentence of what the right hon. the president of the board of trade had called Mr. Hall's manifesto would not desire to wade through more of it. One of the resolutions of the agricultural association was, that copies of their petition should be sent through the country to obtain signatures, and one of Mr. Webbe Hall's agents had come to the town, he (Mr. Baring) represented, with one of the copies, to prevail upon as many butchers or farmers as he could to give their names; but he believed that they, to their credit, had universally refused. These circumstances tended to detract in a great degree from the estimation in which he should otherwise be disposed to hold the petitions of so numerous and respectable a body. To him it appeared that the manner in which the petitions had been got up, and the arts that had been employed about them, tended greatly to diminish their value. He was not, however, to be considered as wishing to underrate the sufferings of the agricultural classes of society; at the same time, if he were called on to declare what class of persons in this country laboured least under the general distress, he would most undoubtedly say that the agriculturists were that class; he did not say that their distress was little—that it was not considerable;—but, compared to what the other classes of society felt and suffered, the distress of the agriculturist appeared to him to be the least. The remedy for that distress could not be found in any legislative provisions, in any laws that they could make. The occupiers of land had but one remedy, and that they must seek in a reduction of rents. Upon the whole he was inclined to think it useless to go into the proposed committee, unless the House had made up its mind to raise the importing price of foreign grain. The only result would be an unfortunate agitation of the public mind. If their table had been covered with petitions from the agriculturists, yet, if the country conceived that parliament had any intention of entertaining the object sought for, he was convinced that it would, in that case, soon be covered with petitions of a different kind, and with a prayer immediately opposed to them [Hear, hear!]. With regard to an alteration of the averages, it appeared to him to be the same question as that of raising the protecting price, though undoubtedly, if abuses existed, they were fit matter of regulation. He thought at the same time, that landed proprietors had the remedy for such abuses in their own hands, or that a proper application to the magistrates might have the desired effect. It had been said by the hon. member for Surrey that in the London petition there was a disguised intention of attacking the present corn-laws; but for himself he could sincerely say, that he had no design of mooting any part of the regulations that had already been made. On the contrary, the principle which he maintained was, that whatever system was adopted ought to be supported with steadiness and perseverance, and ought not to be departed from, even though a change might be attended with temporary advantage.

Mr. *Frankland Lewis* agreed, that it was above all things desirable that the law should be made permanent on this subject. He wished for an extended inquiry with a view to some measure that should relieve the farmer from that state of feverish anxiety in which he was kept by a perpetual attention to average and importing prices. A refusal to inquire he did not think the best means of tranquillising the public mind. Some of the petitions prayed for a change in the general policy of our system, not for immediate relief, under the pressure of difficulty and distress. They claimed only that sort of protection which had been afforded, in an almost boundless measure, to every branch of our manufactures. They stated that it would be wise, just, and equitable, to extend the same principle to land; and upon their making out this proposition before a committee, they rested their title to the consideration of parliament. If their views and arguments were erroneous, it would be an easy matter to refute them. Unquestionably the same principles of encouragement which applied to manufactures did not apply to agriculture, because the former were susceptible of the highest degree of improvement, and the utmost degree of cheapness; but the latter, when extended, must, by being driven to inferior land, have its produce deteriorated in quality, and raised in price. Unfortunately no interests were more at variance than those of the owner and occupier of land. The landlord had but one object, that of obtaining the highest rent; but the tenant, whatever might be his interest under an existing lease, could derive no advantage from protecting prices when that lease expired. As a permanent system he must lose rather than gain by it, because whatever tended to raise the price of labour must diminish the profits of stock. The present system was evidently injurious to him; for, in the event of an excess or more than an average crop, he could not export to a foreign place, where there might happen to be a demand, till the price fell below the average, not of this country merely, but of that to which he exported. It operated, therefore, as a prohibition on the export of corn. On the other hand, when a season of scarcity happened, instead of obtaining a proportionally higher price, the farmer was exposed to a competition with every other nation in the world. These two contingencies had the effect of placing the farmer in a far worse situation than that in which he had been accustomed to stand under ordinary circumstances. The views to which he called the attention of the House were, in his opinion, very important, especially to the renters of the land, who, in this case, formed the most numerous class of petitioners; and therefore it was extremely desirous that an opportunity should be afforded for going particularly into this branch of the question. There was, he thought, another reason which ought to induce the House to examine the question—namely, because the mode in which protection was at present given was very inconvenient. He conceived that the adoption of a prohibition was a worse course of proceeding with reference to the protection of the agriculturist, than a positive duty. The existing system operated as a prohibition to a certain extent; and, as it so operated, it must occasion a sudden alternation from a prohibition to an unlimited supply—a state of things the most mischievous that could be imagined. Every change, to be wise and beneficial, ought to be gradual, and it was peculiarly important that it should be so in this case. He was of opinion that the present protective system was inconvenient in other respects. The mode of taking the average, as it appeared to him, was exposed to an unfair degree of influence. He believed it was acknowledged in London that the corn-merchants had it in their power to open the ports when they pleased. Looking to the mode in which the averages were taken, he thought it was in the power of a combination to exert a very great and a very injurious influence; but at all events there was some inconvenience in the existence of such a persuasion. Notwithstanding all he had heard on the subject, he was much inclined to entertain the opinion, that a certain duty would afford the most effectual protection. He, as well as the right hon. the president of the board of trade, viewed with the utmost abhorrence a duty of 40*s.* per quarter. God forbid the day should ever arrive when the legislature would adopt such an expedient. A duty to such an amount certainly was not desirable. But, looking to the operation of the existing system, he conceived that agriculture would be placed under an infinitely safer protection, even with a duty of 20*s.* the quarter, than it received at present. It was evident that though this would admit the importation of grain, yet that importation could not, as had been stated, proceed to the extent which many persons supposed. This fact was corroborated by a well-known circumstance. Some time since orders were sent from France to Dantsic for the purchase of grain: the consequence was, that the price in the Baltic was immediately raised 25 per cent. This circumstance proved, that the northern market was not in a state to supply very extensive demands. It was, however, said, that if a duty were imposed on the importation of corn, it could not be adhered to in a time of scarcity, and that, on the contrary, when the prices were very low, the farmer would not be remunerated. He was, however, willing to meet extreme cases, and to provide for them; and he was convinced that, under ordinary cases, the mode he adverted to would be found the safest and the best, instead of constantly recurring to the opening and shutting of the ports. The House was imperatively called on to institute an inquiry into this subject; particularly when it was recollected that the present state of the country was wholly different from that in which it stood when the corn law was passed in 1815. It was now not only different from what it then was, but it was perfectly different from any situation which was at that time contemplated as likely ever to exist. He was greatly struck with the words of the report of the committee, in conformity with which the Corn law was introduced. It was there observed, "that the laws which regulated the importation of corn, with reference to that grown at home, and the expense of raising it in this country, had been minutely examined. In doing so, your committee turned their attention to the following points—the expense of the present cultivation of the land, together with the rent, and the price of the market." Now, he would appeal to those individuals who had considered these points, whether the country was not now in a situation, with respect to cultivation, including rent, perfectly different from that in which it stood in 1815, when the corn law passed? He believed the expense of cultivating a farm was diminished nearly one third. This he stated as the result of inquiry; and he was in the hearing of those who could contradict him if he erred. If the fact wanted corroboration, it was to be found in the manifestos of the agriculturists themselves, where the reduced price of labour was stated over and over again. That, however, was not all; there was likewise the reduced price of horses, and of almost every thing necessary for farming. This created a very essential difference. Then what was the result? It was this—that those who had invested capital when the prices were high must be nominally losers at this time; but that, if any persons now invested fresh capital in agricultural pursuits, they would stand at a charge one-third less than they formerly could do. About one-third was the average declension in the price of corn. There was also a declension in the price of cattle and sheep, but not to so great an extent. The price of corn was not, therefore, so much diminished, when these circumstances were considered, as might be imagined at first sight; and he thought the House could not but see that a farmer who now invested money in agriculture was likely to reap as great a profit as he would have gained prior to the high prices. This was a point that bore directly on the question before the House; because if they considered the evidence and the argument, gentlemen must perceive how much rent had fallen in every part of the country. The protection recommended in 1815 proceeded on the expense of cultivation, including rent. That expense was now every way diminished. They could not shut their eyes to this fact, and declare that that which was right in 1815 ought, under very different circumstances, to be considered right now. He could not but persuade himself that the time was not far distant when it would be found necessary for them, in some degree, to retread their steps, and to adapt the protection to the altered state of expense, when, instead of increasing that protection, he trusted they would feel a sincere desire and an anxious wish to examine this question, with a view to the alteration and amendment of the existing system. It was an opinion prevalent throughout the country that excessive taxation was the great reason of all the distress that was complained of. Now he must observe that this system of protection acted as a tax on consumable commodities. It tended to increase the price to the consumer, to the amount of the difference between the sum for which the article might be bought, and that which was really paid for it. This was what the consumer felt, and this increased price did not go to supply any exigency of the state, but went to the landholder. This was the true state of the case; and he looked upon the tax which he had described as one of the very worst kind, since it weighed, above all others, on the prime necessaries of life, and interfered with that on which all labour depended. It was the most objectionable species of tax, because it was not levied for the purposes of the state, or for the public protection, but to serve and assist a particular class of persons. He was one of that class, and if the system were altered, he must, of course, bear a proportion of the loss. But if he lost all the benefit he received from the present system, he believed that in the end he would be the better for it. He was convinced that he would, in that case, be a gainer, ultimately, by the beneficial change that would be operated on all classes of society. The existing system produced such an artificial state of prices, and occasioned such fluctuations in our relations with other countries, as must throw very great impediments in the way of foreign commerce. This system diminished the profit of trade. It was, above all things, the most likely to drive capital out of the country, and what was worse, by rendering every necessary extremely dear, it was calculated to drive people out of the country. In his opinion, parliament ought to consider whether it would not be advisable gradually to diminish this system of protection. He conceived that it was now carried too far, and that it must be undone by degrees. Much as he was desirous of inquiry on this important subject, yet he was so confident that the views under which the inquiry was proposed by the present motion were directly opposite to what he conceived to be salutary, that he felt himself obliged to oppose the question.

Lord *Milton* concurred with the hon. gentleman who had just sat down. He had wished, when notice of this motion was given, that it should be introduced with such extensive views, that it should have pointed at such a broad and general inquiry, and should have had for its object such remedial measures, as would have accorded with his feelings on the subject. But he found that the fears which he entertained, when, last week, he put a question to the hon. mover, relative to the object of the motion, were completely realized. He did then expect that the motion would be brought forward with views, which, begging the hon. member's pardon for the expression, would be so confined, and so little adapted to this great question, that it would be quite unfit for the House to entertain it. The speech of the right hon. the president of the Board of Trade, or rather the conclusion at which that right hon. gentleman arrived, surprised him exceedingly. In every sentiment which that right hon. gentleman expressed, and in every view he took of the question, he thought it was impossible not to concur. He therefore confessed that he felt much surprise, when, towards the end of his speech, he gave the House to understand, though not so clearly as was desirable, that he might possibly support the motion. [*No, no.*] As he understood the right hon. gentleman, he intimated that it was his intention to support the motion, provided it was limited in a particular manner. Now, he would contend, that the limitation of the motion in that particular manner rendered it unfit to be granted. When they had the whole of the agricultural interest at their bar, stating the distress under which they laboured, and calling on the House for inquiry, were they to be told by a minister of the Crown, "inquiry you may have, but only on this condition, that it shall be limited." And limited to what? To the operation of the averages. When, at the conclusion of his speech, the right honourable gentleman stated the grounds on which he would consent even to that limited inquiry, he told the House that perhaps it might be fit to alter the manner of appointing inspectors. It did appear to him that it would be trifling with that great interest which appealed to their wisdom, if a committee were appointed with such a limited view. Indeed, in his opinion, almost all the gentlemen who had delivered their sentiments, except the hon. member who spoke last, gave the go-by completely to the true causes of the existing distress. Those who considered the question correctly must feel that it was not the mode of taking the averages, or the manner in which inspectors were appointed, that occasioned the evil. No; he would now state, as he had done before, that they could not look to the agricultural distress alone, but they must consider it as part of the general distress which affected the whole country. If this were the case, it was quite clear that any such inquiry as that now proposed would only disappoint the hopes and expectations of the great interest whose petitions were before them. It would lead them to think that the House had really at heart a minute inquiry into the cause of their distress; but when they came to examine the course that was adopted, they would find that the inquiry proposed was not suited to the attainment of the object. By proceeding in this manner, they would first excite an anxious expectation; but when that expectation was raised, they would dash the cup from the lips of those who hoped for relief, and discontent would be created in a tenfold proportion. The history of all the distress under which the country suffered was to be traced to the "unnatural state" in which Great Britain had been continued for the last 25 years. This had been truly and simply stated; but these were only two words, which expressed nothing, unless they went further, and showed how that "unnatural state" of things operated. It was the peculiar distinction of the late war, that in the course of it they had not only spent an immense quantity of actual capital, but he would go farther, and say that they had spent an anticipation of capital, which was necessary for the service of the country. They had entered into engagements, for satisfying which the capital of the country was insufficient. And to meet those engagements, the creation of new capital, the accumulation of wealth, and the increase of those resources which the country possessed, were called for. If those resources were not increased and extended, it would be impossible to bear the load of debts and taxes which weighed on the country. It was that load which pressed on the agriculture, the manufactures, and the commerce of the empire. In the last session, the House had agreed to a measure, over the effect of which he thought a veil had rather been cast by some gentlemen. He alluded to the regulation of the currency, which must have had a very considerable effect in aggravating the distress of the country. Not that he would ask the House to retrace their steps on that question, or that he would not stand by the measure. All he wished was to open the eyes of the country to what the effect of that measure had been and must be, because he was of opinion that the entire operation of the measure, in producing a certain degree of distress in the country, had not yet been realized. In considering the general distress, there were many points to which they ought to turn their attention. The inquiry ought not to be such as the hon. gentleman proposed, but one embracing a wide and comprehensive scope. Ought they not to consider whether the late war had not had a great effect in altering the direction of capital, and transferring it from some classes to others? Again, it would be proper to inquire what effect that war had on the population that was called into existence during its continuance; and also what was its operation on the property of the lower orders—he meant industry and labour—for they were as much property as the capital that was embarked in agriculture and commerce. Employment was one of the final causes, perhaps the final cause, of population. Then it was for them to examine whether there was trade sufficient to give employment to that population which had been called into existence during the war. And if not, they should inquire whether any derangement of the system of capital, was or was not, one of the great causes why there was not employment for the population. With all these considerations before them, he confessed that he thought the House would appear blind to the real state of the country if they instituted an inquiry so limited in its operation as that which was now proposed. He felt much regret at not being able to vote for the motion, because his belief was, that an inquiry, properly conducted, and extensively undertaken, would go far to satisfy the minds of the petitioners. In his anxiety, however, that they should not be disappointed by expectations which the course now recommended would not realize, he was reluctantly compelled to oppose the motion.

Mr. *Curwen* said, the picture given of the state of the country by the right hon. gentleman at the head of the Board of Trade was the most melancholy that could be imagined. There were many points, however, in which he decidedly differed from the views taken by the right hon. gentleman. The right hon. gentleman had stated that there was not in the country, in the beginning of 1819, and that there had not been since, a quarter of foreign grain in the warehouses of this country. If this were the fact, which he could scarcely suppose, it was an admission of the most alarming nature; because it must be well known that the harvest of last year did not, either in quantity or quality, average the produce of ordinary years. The inference then was, if the price of corn were not kept down by the quantity of foreign grain in the market, that there was such a decrease in the population of the country, that so many individuals were obliged to go abroad, as to render the harvest of an unfavourable year adequate to the support of the country. He was of a different opinion; for he believed that there must have remained a considerable portion of foreign grain to keep down the price of the market. The great difficulty and distress of the country at this time arose from the unproductive state of labour. Whatever was likely to give activity to labour would operate most beneficially for the country. There were burdens that fell particularly on agriculture, and an inquiry ought to be allowed, that these burdens might be more equally divided among the different interests of the community. He needed only to allude to the enormous amount of the poor-rates, which particularly pressed on the land. The taxes, which fell likewise more upon the landed than on the other interests of the nation, were now, considering the difference in the value of the currency, greater than during the war. The hon. member for Taunton, had asked, "what burdens did the land bear more than the other interests?" He would answer "the poor-rates." These, with other burdens on agriculture, constituted 30 per cent. on the value of the produce, no part of which was borne by the fundholders. He wished inquiry for various reasons, and chiefly to remove the burdens borne peculiarly by agriculture, and to divide them more equally between the agriculturists and the fundholder. The interest which the fundholders derived from the nation was upwards of 28,000,000*l.* no part of which was liable to any charge on account of the poor, while agriculture was particularly oppressed, as the quantity of labour had exceeded the demand, and the supernumerary labourers were entirely supported by the land. By this means 2,000,000*l.* of taxes, which were paid by the poorer class of society, fell ultimately upon the agriculture of the country.—When an hon. gentleman stated that land could be tilled cheaper than in 1813, he must excuse him for saying that he could not have looked closely into the question, for the poor-rates had increased in a proportion far exceeding any abatement that had been made by the remission of other taxes, so that notwithstanding the removal of the income tax, the burden on the land was now greater than at any period during the war. Seven shillings was deducted from every pound in rent, while no deduction was made from the funded interest. He would be willing to go into committee with two views. First, he thought it but fair that the funded property should bear a part of the burthen of poor-rates, which would save 7*s.* a quarter in the growth of corn. But the country laid taxes on labour. Could any thing be more absurd than to tax men who were obliged to go to the parish for relief? The best way, he thought, would be to resort to a fair and modified income tax, by which the expense would be fairly shared between all descriptions of property, instead of pressing exclusively on the land. Would the commercial interest agree to this? They ought to take their share of the public burthens, and he should be glad to see them coming forward and making such an offer. The hon. gentleman had mentioned that rents ought to be reduced; they had been reduced, not 5 per cent. but 15. The hon gentleman was mistaken in thinking that they had poor rates in other countries; he would find that the system was confined to England. Upon the whole, he was for a general and a fair inquiry, to take into consideration the interest, not of one class, but of the whole community, to find out the means of equalizing the public burdens, to remove commercial restrictions where they could be removed, and to afford that protection to agriculture which it required for the general welfare. The common people were suffering the greatest distress. He would wish the taxes which fell particularly on them, namely, the tax on soap, on leather, and other articles, to be equally commuted for an income-tax, which would fall equally on all classes of the community. With regard to the present protecting price of wheat, namely, 80*s.* he would not wish it raised. If he had had a seat in the House when the measure was introduced he would have proposed

86*s.*; but he saw no reason for disturbing the present arrangement. All that he wanted was, that agriculture should not be subjected to greater burthens than the other interests of the nation, and that the profits of labour, not labour itself, should be taxed, and he trusted that the time was not far distant when such would be the case.

Mr. *Ricardo* said, that there was one sentiment delivered by an hon. gentleman in the early part of the debate, in which he cordially concurred, namely, that in legislative enactments, the interest of one body of men ought not to be consulted at the expense of others, but that each should receive corresponding consideration in proportion to its importance. He (Mr. Ricardo) would wish to act up to this maxim, and, because he consulted the interests of the whole community, he would oppose the corn-laws. In many of the observations which he intended to make he had been anticipated by his hon. friend the member for Taunton. The agriculturists had contended that they had a right to be protected in a remunerating price for their produce, but they forget that no remunerating price could be fixed. It was in vain to talk of fixing a remunerating price, which must necessarily change with circumstances. If by preventing importation the farmer was compelled, for the national supply, to expend his capital on poor or unprofitable soils, the remunerating price at which he could keep this land in cultivation must be very high, as compared with the price of grain in other countries, where the soil was better, and less labour was required. Open the ports, admit foreign grain, and you drive this land out of cultivation; a less remunerating price would then do for the more productive lands. You might thus have fifty remunerating prices according as your capital was employed on productive or unproductive lands. It became the legislature, however, not to look at the partial losses which would be endured by a few, who could not cultivate their land profitably, at a diminished remunerative price, but to the general interests of the nation; and, connected with this, he would look to the profits of capital. In his opinion a remunerating price might have been so fixed, that 50*s.* per quarter would have answered the purpose, but at all events he conceived that if the farmers in the country could raise a sufficient supply for the demand, 70*s.* might be considered as a protecting price.—He would rather have a great quantity of produce at a low rate than a small quantity at a high. By making food cheap, the people would be enabled to purchase a greater quantity of it, and apply a part of their earnings to the purchase of luxuries. The high price of subsistence diminished the profits of capital in the following manner:—the price of manufactured articles—of a piece of cloth for instance—was made up of the wages of the manufacturer, the charges of management, and the interest of capital. The wages of the labourer were principally made up of what was necessary for subsistence; if grain was high, therefore, the price of labour, which might be before at 50 per cent on the manufactured article, might rise to 60, and being sold to the consumer at the same rate, the 10 per cent (difference) would necessarily be a reduction from the profits of stock. If food was high here, and cheap abroad, stock would thus have a tendency to leave the country, and to settle where higher profits could be realized. The right hon. president of the board of trade appeared inconsistent when he denied a committee to inquire into the more important question, and yet agreed to one for discussing such trifling matters as striking the average. This was not what the petitioners wanted; they declared that they could grow as much as the home market required, and they demanded a monopoly of it. He would admit their statement to its full extent. He would even admit that our land was susceptible of a great increase of population, and that we could grow what would be sufficient to support that increase. But then, see what the inference of the petitioners was—they required that importation, therefore, should not be allowed. The answer to the whole of their system was plain. "You can grow those articles, it is true, but then we can get them cheaper from other countries." They could grow them, but was it expedient that they should under those circumstances? All general principles were against it. They might as well urge that as in France, they could grow beet-root for the purpose of producing sugar, as grow grain sufficient for home consumption merely because it could be done. The right hon. gentleman opposite had ridiculed that absurd scheme of Buonaparté in the most pointed language, but all his ridicule applied equally to the growing of corn in this country when we could get it cheaper elsewhere. Another of their arguments was, that as ship-owners and merchants were protected by the navigation laws, and other enactments, so they ought to be protected by prohibitions in return. But he denied that these protections were of any use to the country. The navigation laws were of no use. Nay, he would allow them to take any trade they pleased, and surround it with protections; the meaaure might be beneficial to the particular trade, but it must be injurious to the rest of the country. There was no principle more clear than this. The argument of the agriculturist was, that the legislature having enabled the ship-owner and cotton manufacturer to injure the community, they should give him a privilege to do the same. Again they talked of the tax on malt, as if the tax on malt was not a general burthen, which fell upon every class of the community. Another of their statements was, that they paid 30 per cent on the whole produce of the country. He contended that the land-owner did not pay 30 per cent on the whole produce of the country. The produce of the country was calculated at the value of two hundred millions a year; 30 per cent would be 60,000,000*l*., and besides that there were the assessed taxes, the customs, and various other sources of revenue, which showed that the calculation of 30 per cent was wrong. They spoke also of the encouragement given to foreign labour, but, he would ask, what article could they import which was not the produce of foreign labour? for which, it was to be observed, that English labour was given in exchange. The error committed in 1816 was that of making the corn law a permanent law. It ought to have been a temporary measure, and to have ceased its operation as soon as the existing leases had expired, and the farmer was enabled to make new terms with his landlord. There were many measures that might be adopted with propriety, even in opposition to general principles, for a time, and under the exigencies of the moment, but parliament should always provide for a return to the good system. They should go back to that system as soon and as well as they could, but at all events they should go back. Nothing was more likely to occasion a convulsion than to persevere in a wrong measure merely because it had once for a temporary purpose been adopted. Adverting to the subject of countervailing duties, of which he had formerly spoken, he contended that it was not necessary to constitute a countervailing duty, that it should make up the difference between the price at which a foreigner could sell grain and that at which we could raise it. A countervailing duty, in his opinion, was one which balanced the particular tax laid upon any particular class of the community. Countervailing duties of a different description would entirely destroy all commercial intercourse. He agreed that the interests of the agriculturists, and of the other classes of the community, might be identified, provided we were restrained from intercourse with other nations; but this might not be the case in reference to foreign commerce. It might be the interest of the farmer to confine the manufacturer to the supply which he could afford him at a high price, while the manufacturer might procure the article cheaper from abroad. The price of grain might be raised by two causes—either by a change in the currency, which would affect grain like other articles; or by legislative restrictions, which might alter its relation to other articles. A rise in the price of corn from the latter cause tended to injure all who were not interested in the cultivation of the land, by lowering the profits of stock. It had been said, that the national debt, and the pressure of taxation, were the sources out of which the difficulty had arisen. It was no such thing. If all the taxes and the debt had been got rid of together, the same question would still arise—for while the population of foreign countries was not able to consume the produce of the land, and the population of this country was more than sufficient, there would be a disposition to import.—Some gentlemen seemed to think that taxation made a difference in the state of the question, as to our intercourse with foreign nations. It would no doubt be the case, if we taxed one article more than another, that we should cease to supply foreign countries with that commodity; but, if all articles were taxed alike, commerce in general would not be affected. If, for instance, this country produced corn and cloth, and that the production of each commodity was equally taxed, the amount of taxation would not make any difference in the relative advantage which one species of production had over the other, nor consequently in the choice of the commodity which we might supply to other nations, or be supplied with by them. It would be said, however, that taxation would make all things dearer; he admitted that—but though we might thus for a time cease to sell to other countries, we should not cease to buy of them, till the reduction of the quantity of money we possessed reduced prices also, and brought us to a level with them. It was one of the evils of the national debt, that it stood in the way of a reduction of the taxes in the same ratio as the currency was reduced. If, for instance, a tax was imposed of two shillings per yard on cloth worth twenty-two shillings, the country calculated on paying one-eleventh of the value; but when, in the progress of the alteration of the distribution of money, the cloth was reduced to 20*s.* a yard, the tax continuing the same, the country paid 1-10th of the value. There was another argument, which was the most important, because the most plausible argument in favour of the Corn law, viz. the plea that by importing corn, we became dependent on foreign countries. On the ground of economy not a word was to be said by any one who had paid attention to the subject, but in the argument that it was desirable that in war this country should not be dependent on another for subsistence, there was a certain degree of plausibility. In answer to this, it was to be said that if we imported corn in time of peace from any one country to a considerable extent, that country must be in the habit of growing corn specially for our consumption. In the event of a war with us, such a country would suffer extreme distress. We knew the effect of an excess, however small, of the supply of corn over the demand in the reduction of the price of this commodity, the consumption of which could not rapidly be increased, and the overplus of which consequently possessed no exchangeable value. All the agricultural distress we complained of would be not one-tenth of what such a country would suffer. But this went on the supposition that all our supply was to be derived from one country, whereas the fact was, that the supply would be derived from a great variety of countries; and was it probable that we should at once be at war with all of them? He therefore thought that this argument was hardly better founded than the other. This would be the happiest country in the world, and its progress in prosperity would be beyond the power of imagination to conceive, if we got rid of two great evils—the national debt and the corn laws. When he spoke of getting rid of the national debt, he did not mean by wiping it away with a sponge, but by honestly discharging it. His ideas on the subject were known, and he had heard no argument to show that the measure he would recommend was not the best policy. If this evil were removed, the course of trade and the prices of articles would become natural and right; and if corn were exported or imported, as in other countries, without restraint, this country, possessing the greatest skill, the greatest industry, the best machinery, and every other advantage in the highest degree, its prosperity and happiness would be incomparably, and almost inconceivably, great. Other topics he would allude to but for the lateness of the hour. Gentlemen had favoured him more than he had expected. He should oppose the motion because he was persuaded that a committee would be productive of mischief, and not good.

Mr. *Benett*, of Wiltshire, said the hon. member who had preceded him, had told the House that this country would arrive at a degree of prosperity almost beyond imagination if it could get rid of the National Debt, and the Corn laws. By putting the National Debt first, the hon. member had seemed to admit that it was necessary to get rid of the National Debt before the Corn law could be put an end to. He (Mr. Benett) should not detain the House by entering into any discussion of political economy, because he presumed every member was acquainted with the principles of Adam Smith, which continued the foundation of all political economy to the present day. If we had no National Debt we should certainly want no Corn laws, but while we had debt and taxes, we could not manufacture corn as cheaply as those who were not similarly burthened. They were told that this was not the time to agitate the question of the Corn laws. Every time was, in his opinion, fit to agitate the causes of the national distress, and to perform an important duty to the country, unbiassed by the clamour of any class of the people. He did not advocate, however, the present Corn law, which had thrown odium on the agriculturist, without affording him protection, and he should wish it to be repealed, parliament granting some more efficient protection. The mode of taking the averages was bad; the law left an opening for bribery (that was to say, the officers making the returns were frequently bribed) to smuggling, and to every species of evasion. He was for abandoning the present law therefore; that a more efficient one might be substituted. In wishing for an efficient Corn law, he did not consult the interest of the farmers alone, but of every class of the community, especially of the labourers, who were now sunk to so degraded a state that they were living on the lowest subsistence that would support human life, many of them existing only by the pittance secured to them by the laws of the country. When it was acknowledged on all sides that labour was the true source of the wealth of a country, he wished to know on what principle of political economy it was, that emigration had been encouraged? Why had 5,000 of the most active inhabitants of England been sent out of the country, at an expense of 50,000*l.* to the nation? These men, whose labour he calculated at 300*l.* a man we gave to those who would take them, with a premium of 15*l.* each. This was in reality decreasing productive labour, the source of national income; and he would put it to the House, whether that was the way to remove the public debt of the country? This object could be effected only by an increase of productive labour, and of course of population. The productiveness of the country was not carried to half its length. It was capable of supporting double the population it now contained. The policy of depending upon foreign nations for the prime article of necessity was, in his opinion, the very worst that could be acted upon, it only tended to increase eventually, the burthens and distresses of the people. Adam Smith spoke in strong terms of the evil of depending upon foreign countries for subsistence, and he instanced Holland as a country in which this circumstance gave rise to frequent revolutions. Had we been dependent on foreign countries 25 years ago, whence could we have had the troops and the hardy tenantry which formed the pride of our nation? He begged pardon for detaining the House so long at that late hour of the night. He hoped the committee moved for would not be refused.

Mr. *Huskisson* said, that the great inconveniences of agitating the Corn laws had been so ably stated by his right hon. friend, the president of the board of trade, that he owed an apology for getting up to speak upon the subject. But he rose in consequence of observations made by the noble member for Yorkshire, and by the hon. member for Portarlington. He still retained the same views on this question which he had held in 1815, and he would now repeat the three grounds on which he had then supported the Corn law. In the first place he considered that during a long series of years of war by circumstances over which the country had no control, an artificial protection had been afforded to agriculture, which had forced a great mass of capital to the raising of corn, which would not otherwise have been applied to that object. He thought that if an open trade in corn had been then allowed, a great loss of the capital thus invested, and a great loss to the agricultural part of the community would have been occasioned. He fully agreed with the hon. member for Portarlington, that no particular price could be said to be at all times a remunerating one for the growth of corn, but that it must be determined by an inquiry with reference to the actual circumstances of the country of the cost of raising corn on the inferior and most expensive lands in cultivation. In 1815, it was determined that 80*s.* was the price that would protect vested capital, and he had voted for it accordingly. Another object which appeared to him of more importance than it did to the hon. member for Portarlington, was, that this country, in its peculiar circumstances, should not be dependent to too great an extent on foreign countries for the necessaries of life. The hon. member for Portarlington had stated, that there would be suffering on both sides if the country which raised corn for us attempted to withhold that supply. But the contest would not be an equal one. To the foreign nation the result might be a diminution of revenue or a pressure on agriculture; to us the result might probably be revolution and the subversion of the state. It would be recollected that one of the countries in which the government was most sensitive to the feelings of the people actually submitted to an embargo during the late war with the view of incommoding us by cutting off our supply of grain. He now stated the case between two belligerents; but the case might be, that a strong belligerent might exercise, as Buonaparté actually had done, an irresistible power over a weak neutral power, so that we might be thus incommoded while our enemy suffered no inconvenience. The third ground on which he had consented to the modification of the general principle of a free trade was the situation of Ireland, which had previously received encouragement from our demand, to withdraw which would have been most injurious to that country. To give a superior cultivation to the fertile land of Ireland, and to turn British capital into that island, would ultimately tend to increase in the most material degree the resources and revenue of the empire. Since the enactment of the Corn bill, the import of corn from Ireland had actually increased every year. These were the grounds on which he had supported the Corn law, and that law had, in his opinion, answered the purposes for which it was intended. It would be recollected that in the discussion on the Corn bill, the argument of those who opposed it was, that under the proposed law 80*s.* would be the lowest price of corn, or the *minimum*. On the other hand, those who supported the bill contended that 80*s.* far from being the *minimum*, would be more nearly the *maximum*. What had been the result in this respect? In the five years which had elapsed since the passing of that law, there had been two years of deficient and unproductive harvests. In those two years, the corn which was in consequence imported from abroad was 2,600,000 quarters; the whole of which was consumed in Great-Britain. The price of wheat, on the average of those two years, was 89*s.* and 6*d.* per quarter, so that this great importation of 1,500,000 quarters in one year, and 1,100,000 in another, would have taken place, even if the protecting price had been 85*s.* instead of 80*s.* In the other three years of fair harvests; viz. 1815, 16, and 19, we had actually exported 428,000 qrs. beyond the quantity of corn imported in the other two years. So that in those years when the price had been under 80*s.* we had been totally independent of foreign supply, and the low price must have depended not on foreign competition but on the improvement of agriculture which had taken place during the war. The present law was, therefore, perfectly effectual, with a protecting price of 80*s.*, because in those ordinary years the result would not have been different if the protecting price had been 80*l.*, and in the years of scarcity, notwithstanding the importations, the price had been much above the sum which had been thought sufficient by the agriculturists. When it was considered how grave a subject of discussion this was, and how dangerous and delicate to move it, he would ask whether the agriculturists could make out a case of necessity, to induce the House to unsettle what had been established, when after accepting 80*s.* as a protecting price, they had come to state that the actual price had been on the average of five years 78*s.* 6*d.* only 1*s.* 6*d.* per quarter less than they had demanded? When, too, according to the hon. member for Beaumaris the expence of cultivation had diminished in many articles perhaps 1*s.* 3*d.* when heavy direct taxes had been removed, when the agriculturist should expect rather a diminution than an increase of the protecting price, was it not too much that the House should in such a case be called upon to enter into an inquiry? Though it might be said that no harm could be done by an inquiry, yet it was impossible for them to divest their minds of the scope and intent of the mass of the petitioners, who, with a gentleman who had been that night often alluded to (Mr. W. Hall), demanded a large direct duty on foreign corn. He (Mr. Huskisson) would willingly consent to an inquiry into any alleged frauds and inaccuracies in the mode of taking the averages (though he doubted whether they existed), to satisfy the minds of those who complained. Whether such an inquiry would be accepted, it was left to the hon. member for Surry to decide. Having stated the grounds which had induced him to support the corn-laws on a former occasion, and to oppose the present motion, he did not feel it necessary to trouble the House further; but he could not avoid offering one or two remarks on what had fallen from the hon. member for Portarlington, who stated that two things only were necessary to restore the country to prosperity—namely, the discharge of the national debt, and the repeal of the corn-laws. He would admit that parliament might, if they pleased, repeal the corn-laws; but it was rather doubtful whether they could effect the discharge of the national debt. At all events, the plan which the hon. member had mentioned for this purpose would in his opinion have the effect not of bringing capital into the country, but of removing a great portion of capital out of it: for in the supposed case, every one who could, by going out of the country with their capital avoid the payment, would endeavour so to do. The chief cause of the general distress which was complained of was founded in the falling prices of two objects of exchangeable value, which two objects he considered to be corn and labour. But he thought it would be most injurious and imprudent to give an artificial value to either of those. He fully concurred in the opinion that the situation of our trade, and the question of whether the opening of new channels for it would not give additional stimulus to our national industry, were fair subjects of parliamentary inquiry; and he was glad that a committee had been appointed in the other House of Parliament, for the purpose of investigating this important subject. A similar one was, he believed, to be proposed in that House. The distress arose from the great demand for labour, occasioned by the war, and the necessary falling off in time of peace. This was an effect that could not be prevented, unless they were prepared to apply the same stimulus now which existed while hostilities were going on. The evil was to be remedied only by time. It was desirable, however, that the people should, by discussion in that House, be made acquainted with what relief it was within the reach of parliament to give, and what not; when those in the country, who were in favour of the present motion, saw that the present price of corn was owing, not to the nature of the corn-laws or to any mismanagement, but to causes over which the government or the legislature had no control, they would feel satisfied that no alteration of those laws at present could afford them relief, and they would therefore wait patiently for more favourable circumstances.

Mr. *Coke* said, that representing as he did a great agricultural county, from which many petitions had been presented, complaining of distress, and differing, as he happened to do upon this occasion, from many persons whom he highly esteemed, he could not help expressing his regret that this question had been agitated, as he felt it an imperative duty to declare his disapproval of the motion. Every one who knew him must be aware that he was delighted with agriculture, in the practice of which he had spent nearly the whole of his life; and that he was peculiarly attached to those by whom its interest was promoted. But still he could not consistently, in the present generally distressed state of the country, give his assent to a motion limited to the concerns or grievances of the agriculturists alone. Had a motion been made for an inquiry upon a large scale, comprehending the commercial and manufacturing, as well as the agricultural interests, or had a proposition been submitted for an inquiry into the state of the nation, such a proposition should have had his decided support. But he could not agree to the idea of confining the solicitude of the House to the agriculturists, while the state of the manufacturers was notoriously so very wretched. The House had that night heard a petition presented by his noble friend, the member for Yorkshire, in which it was stated that the petitioners were unable to earn more than 11¾*d.* per week; and if this statement were true, it was indisputable that the condition of the manufacturers was much more deplorable than that of the agriculturists in any quarter of the country. From such a fact, indeed, it would appear that the grievances of the one were considerably more aggravated than the other. Such, then, being the circumstances of the country, he was an advocate for the most enlarged and comprehensive inquiry, in order to see what could be done for the relief of our severely suffering population. In the minds of some gentlemen, perhaps, in consequence of inattention to their property, or the rise of rents during war, there might be reasons for supposing that the price of corn must be kept up, or rather raised, in order to meet that pressure of taxation which was the essential cause of the national calamity.—But he could see no just reason for such a course of proceeding, or for any course that should benefit one class of the community at the expense of another, when all were equally distressed. A great addition was made to the suffering of the agriculturists in consequence of the pressure of tithes, which affected so much the cultivators of bad land; and this was one among the many reasons why some commutation should take place, as the parsons derived an unfair proportion of profit from poor lands, rendered productive principally through artificial manure, of which article he presumed that the parsons contributed nothing. Out of respect to the petitioners he must repeat his regret that he felt himself compelled, by a sense of duty, to vote against the present motion.

Mr. *Ellice* asked the hon. mover whether he meant to press his motion to a division? He put this question because he understood that some compromise was proposed to the hon. gentleman; and if he did not mean to agree to that proposition he (Mr. E.) should feel it his duty to move the previous question, as it was now evidently the object of those who supported the motion before the House to produce an aggravation of the evils under which the country laboured, in consequence of the system of the corn laws.

Mr. *Sumner* observed, that he could not see that any good result would be produced by any such compromise as the hon. gentleman had alluded to.

Mr. *Ellice* then moved the previous question.

Mr. *Mansfield* maintained, that the object of the motion was, to raise the present protecting duties on corn. Agreeing with the hon. member for Coventry, he should very cordially second the motion for the previous question. Being the representative of a place of large manufactures, he felt it his duty to state, that however great the distress of the agriculturists, the distress of the manufacturers was much greater. He regretted that the hon. member had not also moved for a committee to take the situation of the manufacturers into consideration, for he would then have given him his entire support.

Mr. *Brougham* apologised to the House for rising at that late hour, but he could not, consistently with the duty which he owed his country—consistently with the respect due to the agricultural interest, and to the numerous body of persons whose petitions crowded from every quarter, and covered the table of the House, give a silent vote on the present motion, after hearing the very extraordinary motion of the previous question made by the hon. member for Coventry. He could conceive the reasons why some gentlemen, after gravely weighing the question, and yielding to the subtleties of the hon. member for Portarlington, or to the ingenuity of the hon. member for Taunton, should determine to meet it on its merits, and to decide manfully upon it; but of all the ways which he could possibly imagine of getting rid of the question, he should least think of that proposed by the hon. member for Coventry, namely, "That this question be not now put."—This was the last way in which the cries of the petitioners ought to be met. He confessed that he agreed with the motion of the hon. member for Surrey: but if he had dissented from the supporters of the present motion, he would have met them by argument, but could never bring himself to say, this was a question unworthy the attention of the House. Moving the previous question meant not to inquire whether the motion was or was not a fit subject of inquiry, but it meant to get rid of the question in the best and speediest way. If he had not heard one word of argument to-night, the numerous petitions on the table, and the cry of general distress, which was abroad, would be sufficient to make him pronounce, that this was a question worthy the most serious attention of the House. Indeed, it would be next to indecent, to give a deaf ear to the petitions. The numbers, the gravity, the interest, and the importance of the body, in fact, of the whole agricultural interest who had signed those petitions, were sufficient to expect the respectful attention of the House. If he had any doubts on the subject (and he had some little, but they were overborne by the consideration which he had just mentioned), they arose from his opinion that this motion was too general in its nature, and held out hopes to the country which it was possible the inquiries of a committee might not realize. That doubt, however, was not strong enough to outweigh his favourable consideration of the motion. He had the choice of two evils—either a committee with this objection, or no committee at all—and he chose the former. He could wish the motion more definite, but as it was the only one before the House, and its professed object was simply to inquire—to probe the distresses, and see if any thing could be done to remedy them, he could have no alternative but to vote for it, or to shut the doors against the prayers of the agricultural interest. He had stated the grounds upon which, notwithstanding the evil to be apprehended, he thought the House ought to entertain the motion. Having done that, he felt it a duty which he owed to the petitions, and to the distressed state of the country at large, to notice some doctrines which had been advanced to-night, and made the ground of objection to the motion; but if these doctrines were of any avail, they would compel the House to retrace its steps, repeal the Corn bill, and substitute a new system of political economy. His hon friend, the member for Portarlington, had argued as if he had dropped from another planet; as if this were a land of the most perfect liberty of trade—as if there were no taxes—no drawback—no bounties—no searchers—on any other branch of trade but agriculture; as if, in this Utopian world, of his hon. friend's creation the first measure of restriction ever thought on was that on the importation of corn; as if all classes of the community were alike—as if all trades were on an equal footing; and that, in this new state, we were called upon to decide the abstract question, whether or not there should be a protecting price for corn? But we were not in this condition—we were in a state of society in which we had manufactures of almost every description, protected in every way, even to criminal enactments, to prevent the raw material from going out of the country, in order thereby to assist the native manufacturer. He alluded, as one instance, to the prohibition of the exportation of wool. He never heard, from those who spoke so freely against the protection afforded to the agriculturist, the slightest murmur against the restrictive duties on foreign wool. He might mention another instance—the silk trade: he contended that silks might be worn at half or a third less than their present price, if protecting and prohibitory laws had not been enacted in aid of our manufacturers in that material; but that was a subject which the hon. members to whom he alluded, took care not to touch upon. Now, he would ask, who was it that paid the poor's rates? Was it principally the manufacturer, or the owner and occupier of land? He could easily imagine that he saw, and in fact, nothing was more common than to see a manufacturer erect a fine tall building, a matter of great ornament to the neighbourhood, no doubt, but certainly of great use to him. This building was erected on a comparatively small portion of land; and within its four walls were carried on the manufacture of two very important articles, cotton and paupers! And though this manufactory produced to its proprietor, an income frequently of not less than 30,000*l.* a-year, yet he only paid poor's rates as for a property of 500*l.*, while his poor neighbour, the farmer, who rented land to that amount, paid the same proportion, though his income was not the fourth part of his rent. Besides this, there were the bridge-rates, the county-rates, the militia-rates, and all the other blessings which were heaped on this favoured class, the agriculturists. They, of course, were not to murmur at all those imposts nor were they to raise their voices for the same privileges which the other classes enjoyed. But the moment a word was said of any restriction affecting the manufacturers, then the House heard murmurs and complaints from all parties. There then was, as sir Robert Walpole had expressed it, "great cry and little wool." That statesman had compared the agriculturists to a flock of sheep, and said that, like sheep, they were shorn without repining; but the complaints of the commercial and trading classes when any thing affected them, he had compared to the noise of another animal, which, out of regard to that respectable body, he (Mr. Brougham) would not name. It was most impolitic and unjust to support any one class of the community to the neglect of the other. One principle had been objected against the motion, to which, in the abstract, he might subscribe. It was stated to be an erroneous policy to purchase dear corn at home, whilst it could be bought at a much cheaper rate abroad; and it was added, that the effect of this would be, to force men to cultivate bad land at a great expense. Though he might, as he said, agree with this principle in the abstract, yet he had a right to complain of the manner in which it was turned into a meaning, which, as applied to the subject before the House, it could not properly bear; for the question here was, not whether at such an expense, you ought to bring poor land into cultivation, but it should be considered that we had already encouraged the cultivation of such land. The circumstances in which the country had been placed were such, that even poor land was eagerly sought and diligently cultivated. It was hedged and ditched, and improved so as to become the depository of a large portion of British capital. It would be idle to say, that this was done in other times, and under other circumstances; for, if we were to go back at all, we might with as much reason extend our retrospect to the Heptarchy. The fact was, that capital had been so employed—that this land was now under cultivation—that it contained the capital, he might almost say the life, of the cultivators—and it would be as reasonable, under such circumstances, to refer back to the period he had mentioned, or to say that they should go for their grain to Poland, where the serf cultivated the soil for his lord—because at Poland it could be got cheaper than they could now produce it. He was not wandering into any theory on this subject—he spoke practically. He would mention one fact which had fallen within his own knowledge. Some time ago there were two or three cargoes of corn in the port of London, which, but for the corn-laws, could have been purchased at 37*s.* per quarter (corn of that description could be purchased currently at 40*s.* this he knew of his own knowledge would have been sold at 37*s.*): now, on the principle on which the present motion was opposed, this corn ought to have been purchased, because it was cheaper than any which we could grow: but then, if that principle were extended, what would be the consequence? The inevitable consequence would be, that in the next season, 7 or 8,000,000 of acres would be thrown out of cultivation, and those dependent on them out of employment;—the tenants would be expatriated, and the landlords would be brought to the workhouse. Was there any man bold enough to look such a difficulty as that in the face? But then it would be said, "this might be very good logic for the farmer, but it would not be so for the consumer." Let that objection be examined, and, after all, what did it amount to? That we inflicted a certain calamity on the cultivator and landlord, in order that the consumer might eat his quartern loaf a halfpenny cheaper. He would confine himself to that point; and he maintained it to be as sound a principle as any principle in political economy, that the destruction of one portion of the community could not be considered a benefit because another portion gained by it. This was a proposition which no philosopher, or political economist, had ever attempted to deny or to dispute. He would suppose a case of a community, consisting of a thousand individuals; and that he invented a law by which five hundred of those individuals might be destroyed, which destruction would render the remaining 500, twice as rich as they were before; would any man attempt to say, that, in such a case, because no part of the wealth left the community, that it had therefore sustained no injury? But, according to the theory of those who opposed this motion, such a law would be most salutary for the five hundred who survived. He (Mr. Brougham) should, however, run counter to every principle of political economy and public justice, if he did not contend that such a proceeding would be most unjust to the individuals destroyed, and most injurious to the remainder as a community. As to the argument founded on the circumstance that there was bad ground in cultivation, even if the Corn bill were repealed, much bad ground would still be cultivated, and much good ground left uncultivated; because local circumstances, such as navigable rivers, canals, &c. had great influence over persons in the disposal of their capital. If these theorists, after the repeal of the bill, would go about the country, they would soon see that their theories were not verified. They would, of course, ask the persons who remained in the occupation of indifferent land, their reasons for doing so, and would probably be surprised if an old man should say,—"though I am acting against your theory, yet you must allow me to remain here." Nothing short of removal by the parish officers could realise these Utopian doctrines. The House was often told, that in meddling with commercial questions, they were handling edged tools, and that the capital would leave the country. He would wish some law was devised for equalising the burthens of the community, and throwing part of those which now pressed heavily on agriculture, upon the other interests. Such a measure would not, he was certain be followed by an emigration of capital. If he had a right perception of things, the House would be obliged before many years to meet this question, and to face it boldly. Could any man believe, that at the time of the passing of the statute of Elizabeth, when land, then the only kind of property, was made liable to the relief of the poor, if the manufacturing capitalists and fundholders had possessed any thing like their present property, they would not have been compelled to furnish a part of that relief? He was persuaded that the landed interests could not be injured, without an injury being sustained by the commercial and manufacturing classes. Who were the consumers of the manufactures? The agriculturists. What was the great cause of the distress of 1816? The cause was, that in the year before, the commercial interests had suffered in consequence of the extreme hardships to which the agriculturists were subjected. He would recommend to the House at least to take the question respecting the mode of striking the average, into its consideration. What was the average? Was it known or determined? It was said to be 80*s.*; but was it such? It was said to be less. The question respecting the mode of striking the average was therefore fitted for consideration; it was necessary that it should be examined, that the uncertainty, and the irregularity attendant on uncertainty, might not be longer permitted. He hoped that some member would move an amendment to that effect, but if no such amendment was moved, he should feel it his duty to vote for the motion as proposed originally. Upon all these grounds, he intreated the House to take the subject into its serious consideration.

Mr. *Gipps* said, he held in his hand an amendment, which was to the effect, that a select committee be appointed for the purpose of ascertaining the mode best fitted for ascertaining the average price of corn. He should think it his duty to put this, unless the hon. member withdrew his motion for the previous question.

Mr. *Ellice* said, the reason why he moved the previous question was, that a member who had followed the hon. mover, had, as he thought, laid before the House a motion not consistent with the views of the hon. member for Surrey. He therefore proposed the previous question; but he was far from wishing that the prayers of a suffering people should not be attended to. He would therefore, with the permission of the House, withdraw the motion for the previous question.

On the motion for withdrawing the previous question being read from the chair,

General *Gascoyne* said, that there was scarcely a member present who was not aware, before he entered the House that evening, that he intended to move the previous question. So strongly was he opposed to the appointment of a committee for the purposes intended by the hon. mover, that if such committee should be appointed, and any measure be carried upon its recommendation, he should feel himself bound to make an attempt to repeal that measure, or at least to bring the subject again under the consideration of the House. After this explanation, the House would not be surprised at his objecting to the motion for the previous question being withdrawn.

Mr. *Corbett* was not sanguine in his expectations from the operations of the committee, but he thought that such petitions from such numerous and highly meritorious people, ought not to be disregarded altogether.

Lord *Castlereagh* rose, not for the purpose of entering into any further discussion, but to call the attention of the House to the question which now stood before them. The member for Surrey had proposed to refer all the petitions to the consideration of a select committee, with a view of entering into the whole subject, and effecting a complete alteration of the scale of protection settled in 1815. Agreeing as he did with his right hon. friend the president of the board of trade, and with his right hon. friend on his left, it was immaterial, in his view, whether the proposition of the member for Surrey were got rid of by a direct negative, or by the previous question. Either of these courses would equally effect his object of not going into a general view of the agricultural state of the country. At the same time he did not wish to preclude any other hon. member from adopting the suggestion of his right hon. friend, the president of the board of trade: he was ready to give his support to a motion for a committee, not to enter into so large a field of inquiry as would tend to alter the scale of protection adopted in 1815, but to inquire whether, by fraud or evasion in the mode of striking the averages, the provisions of the Corn bill had been defeated. The suggestion of the hon. and learned gentleman would open the whole question of the scale of protection, and if the averages were taken upon a survey of the whole surface of the united kingdom, an alteration of 6*s.* or 7*s.* would be produced upon this scale of protection established by the provisions of the Corn bill in 1815.

Mr. Alderman *Heygate* thought that the Corn laws required to be reconsidered, agriculture having been much affected by the bullion question. He would, however, oppose any rise in the average price of corn, or any tax on capital in trade, which was equally depressed with agriculture, and in his opinion from the same cause.

Sir *T. Acland* supported the motion in its broadest manner. He considered the question to be a double one, and thought that the House ought to unite in taking the question relative to the distress into consideration, although the question relating to the raising of the prices might not be considered. From the observations of the president of the board of trade, who admitted that last year the question was not proposed, but postponed, he drew an inference, that there was last year a doubt entertained by his majesty's ministers, whether they should not take the matter into consideration. They had given the petitioners encouragement; and would they now dash all their hopes to the ground? Would the distress be removed by not attending to the petitions? Would not the discontent of the people be doubled by such treatment? So he thought, and he hoped the House would agree with him, and vote for the appointment of the committee.

Mr. *V. Fitzgerald*, as a member from Ireland, wished to say a few words in favour of the agricultural interests of a country which appeared to be neglected. He thought that the distresses of the people merited the serious attention of the House.

Mr. Sumner replied. After which, the previous question being put, "That that question be now put," the House divided: Ayes, 150; Noes, 101. The main question was then put and agreed to. On the motion, "that Mr. Holme Sumner be a member of the said committee,

Lord *Milton* lamented the decision the House had come to, and entreated them to defer the nomination of the committee on account of the lateness of the hour.

Mr. *Baring* expressed his apprehension that the decision of the House that night would tend to show the people the perilous state they were in, and produce the greatest dissatisfaction. The House having come to this unexpected, and, in his mind, lamentable decision, he thought a fitter time than the present should be appointed for choosing the members of a committee upon which so much would depend. He therefore proposed that the further consideration of the subject should be adjourned till to-morrow. He trusted the decision of that night would convince those whose opinions agreed with his own of the necessity of watching this proceeding strictly; and, for his own part, he pledged himself to oppose it in every stage.

Sir *R. Wilson* seconded the motion of adjournment; and, feeling anxious for the tranquillity of the country, and knowing the effect which this decision of the House would produce, he implored them to adopt the motion, and suspend all farther proceedings for that night. Millions of men would have petitioned the House against this proceeding, if they had anticipated such a decision as that which had taken place.

Lord *Castlereagh* said, he had intended himself to make the motion which the hon. gentleman had just made. He deplored and lamented from the bottom of his heart the decision of the House. So little had he anticipated such a result, that, being asked by several persons whether he thought there was such a difference of opinion as would make it necessary for them to remain in the House till the division, he had told them that nothing was so unlikely, from the temper which the House had evinced during the debate, as an effective support of the motion. If he had thought that it would have had so many supporters, there would have been a very different attendance of members, and a very different result.

Mr. *Brougham* lamented the necessity of differing from his gallant friend on any subject, but more especially on a subject so delicate as the present. He did not say it was so in itself, but the hon. gentlemen made it delicate by the manner in which they treated it. He would ask if any thing had fallen from the hon. mover, or from any of those who had supported his motion, that could warrant the belief that they wished to introduce a new system of corn laws? for it had been held out to every man in England, Scotland, and Ireland, that the object of this committee was, to raise the price of bread. He himself had said over and over again, till he had nauseated the House with the repetition of the argument, that he was, in the first instance, for granting no farther assistance to the agriculturists than they had been formerly acknowledged by the legislature to be entitled to.

Mr. *Sumner* said, that the decision of the House had taken him as much by surprise as it seemed to have taken others; for, however convinced he was of the propriety of the measure he proposed, he had not thought that any proposal he could make to the House would have been so favourably received. As to the nomination of the committee, he had before the division communicated with the noble lord, and they had showed each other their committees, in which there was only a difference of three names.

Lord *Castlereagh* said, that when the hon. gentleman showed him his list, he compared it with the list which his right hon. friend had prepared, with the view of adopting the measure for a limited inquiry, thinking that only such an inquiry would be granted, he had paid little attention to the list.

The motion of Mr. Baring, "That this debate be adjourned till this day," was then agreed to; and at four o'clock in the morning the House adjourned.

HOUSE OF COMMONS.

Wednesday, May 31.

Prisoners for Contempt of Court.] Lord *Althorp* presented a petition from several persons who were confined in the prison of the Fleet for contempt of the court of chancery. One of these persons was a woman 81 years old, who had been confined for contempt 31 years. Another person was 64 years old, and had been confined 19 years; another was 60, and had been confined eight years. There was another person who would have signed the petition, but he was in a dying condition, partly, it was supposed, on account of his confinement. He presented this petition the more willingly, in order to show the necessity of extending the provisions of the Insolvent Debtors act to persons confined under contempt.

The petition was brought up and read. The petitioners prayed for relief, by being put on the same footing as other debtors.

Mr. *Bennet* bore testimony to the severe suffering of many persons confined for contempt of the court of Chancery. He had known instances in which the parties had, after long imprisonment, endeavoured to purge themselves from contempt, but had no means of doing so, the parties being all dead, and the cause quite forgotten. The best mode of preventing this unjust suffering, would be that the noble lord at the head of the court, should bring all the cases under his review once or twice every year.

Mr. *Lockhart* observed, that there would be an anomaly in bringing the persons committed for a contempt of a superior court under the review of an inferior judge; and this would be the case, if the persons thus confined were put in the situation of insolvent debtors. Some of the prisoners, too, were committed, not for non-payment of money, but for refusing to do certain acts—to answer bills, for instance—by which other parties were injured.

Ordered to lie on the table.

Exchequer Bills.] The *Chancellor of the Exchequer* said, that it was usual, when any bargain had been concluded between the Treasury and the monied interest, that he should take the earliest opportunity of stating the terms of it to the House. He therefore wished it to be suffered that the committee of ways and means should have precedence, that he might now state the terms of a bargain which he had concluded.

The House having resolved itself into a committee of ways and means,

The *Chancellor of the Exchequer* said, it was necessary for him to explain the reason why he had thus suddenly, without previous notice, risen to state the terms of the bargain which he had concluded on the part of the public. He had allowed three days for the operation of funding exchequer bills under the terms of his offer; and he thought he should have been enabled, before the conclusion of it, to give notice that he should state the terms of his bargain on Friday. But the whole business for which he had allowed three days had been transacted in half an hour; and as it was the invariable practice to take the earliest opportunity of stating the terms of such bargains, he had preferred doing so without notice, to the delay which a notice would have occasioned. He did so with the more satisfaction, because he could recommend the bargain as one evidently advantageous to the public. It differed in one circumstance, indeed, from any similar bargain which the public had ever concluded, viz. in this—that the stock to be created was less than the actual sum of capital debt to be extinguished. He had a few days ago issued a notice, that a subscription would be opened for funding seven millions of exchequer bills. On the 1st of January the outstanding Exchequer bills had amounted to 35 or 36 millions, and four millions of Irish Treasury bills, making 39 millions of unfunded debt, which was ten millions less than the unfunded debt at the same period last year. Of those 39 millions, about 14 millions in Exchequer bills were in the hands of the Bank of England, and all the Irish Treasury bills were in the hands of the Bank of England and the Bank of

Ireland. Three millions had been placed in the Exchequer, as security for payment of a sum borrowed from the consolidated fund; and two millions were also disposed of (in what way we could not understand, from the low tone in which the right hon. gentleman spoke); so that 16 millions remained with the public previously to the transactions of this day. The want of demand for this species of security made it evident that it would be either necessary to pay off some part of them which were more expensive to the country than funding, or to resort to the system which had been followed. It had been thought the best way of supporting the credit of the unfunded debt, to call in seven millions of it, and convert it into stock. On a future day he should enter at large into the financial system of the country, but he should now state generally, with respect to this unfunded debt, that it was proposed to reduce it from between 38 and 39 to 28 millions, in the course of the year. Of the 10 millions thus reduced, 5 millions would be repaid to the Bank, and the other 5 millions would be reduced from the amount in the hands of the public. In the funding of the 7 millions which he had accomplished, the terms were these: For every 100*l.* Exchequer bills, 99*l.* capital stock of the 5*l.* per cents were offered; the funding taking place in that stock, because it was desirable to make as small an addition as possible to the nominal debt. The price at which the 5 per cents had been in the course of last week, varied from 104¼ to 104½; from that was to be deducted 2½ for the July dividend, which the subscribers would not receive, and the price was equal to 102 per cent. To that was to be added an advantage on the discount of Exchequer bills, amounting perhaps to 19 shillings, making an obvious premium of about 2 per cent. Whether it was from the temptation of this premium, or the prospect of the advance of stocks, the competition was so great, that in half an hour that sum had been subscribed, to complete which three days had been allowed. The resolution which he had to offer the committee, was to sanction the bargain thus concluded.

A resolution to that effect having been put,

Mr. *Grenfell* said, that the right hon. gentleman appeared to feel much satisfaction at the subscription having been concluded in a few hours instead of three days. The fact was, however, that the 7,000,000*l.* had been subscribed by eight persons; at least, more than ten persons had no opportunity of subscribing. The business had been conducted, he understood, in the most disgraceful manner. Many had rushed in at the risk of their lives. He had heard that some talked of an action against the right hon. gentleman for the risk and peril to which they had been exposed [A laugh]. But his object in rising was to ask one question of the right. hon. gentleman. Although 7,000,000*l.* of Exchequer-bills were now funded, was it not the intention of the right hon. gentleman to re-issue Exchequer-bills to the same amount, and thus to leave the amount of the unfunded debt the same as it was now? There was a bill now before the House to enable the right hon. gentleman to apply 7,000,000*l.* the very same amount that was now to be funded, to the service of the year. It was obvious to the House that, if the 7,000,000*l.* were re-issued, the loan of 5,000,000*l.* would in fact be a loan of 12,000,000*l.*

The *Chancellor of the Exchequer* said, that with respect to the first point to which the hon. gentleman had spoken, there would have been much complaint if previous notice had not been given for some time. The right hon gentleman then spoke of a different mode of managing the business, which would ensure perfect quiet and prevent any crush, by omitting a long previous notice, and thereby preventing a fair competition; but that plan would not have answered. He hoped, however, nothing of the kind alluded to would again occur. It was certainly desirable to obviate any crush or personal inconvenience. With respect to the second point, and the most important, he conceived that the hon. gentleman had not understood him. He had distinctly stated that the unfunded debt on the 5th of January last was 39,000,000*l.* and that this sum would be reduced to 28,000,000*l.* or 28,500,000*l.* by deducting about 10,500,000*l.* in the present year, as he had already explained.

Mr. *Maberly* had no intention of making any comments upon the bargain which had taken place that morning, but could not help observing that he did not understand the statement made by the right hon. gentleman, that the whole amount of the unfunded debt on the 5th of January, 1820, did not exceed 39,000,000*l.* From the information which he had himself obtained upon this subject, he would state that the right hon. gentleman would find that on the 5th of January, 1820, there were about 36,000,000 of exchequer bills in the market—of these 500,000*l.* or 600,000*l.* were provided for, but outstanding. There were also about 2,000,000*l.* of Irish treasury-bills outstanding, which were provided for; and about 2,000,000*l.* more which were not provided for. Besides these sums there was also 2,600,000*l.* for which the right hon. gentleman had forgotten to account; this sum he had taken from the Bank, and had afterwards replaced by exchequer-bills to that amount. If these sums, and some other minor sums, were taken into consideration, the House would see that the amount of exchequer-bills now outstanding came to a sum little less than 45 or 46 millions, to which, if the rumours which he had heard were true, the right hon. gentleman had since added 300,000*l.* on land and malt. Therefore he must again repeat, that he could not understand what the right hon. gentleman had stated as to 39,000,000*l.* being the full amount of the unfunded debt. He wished to know whether in this statement the right hon. gentleman had included the exchequer-bills which he had issued on the arrear of the consolidated fund; because if he had not, there would be an addition of 2,000,000*l.* to the deficiency on the consolidated fund. That fund was already 7,000,000*l.* or 8,000,000*l.* in arrear; and, unless the revenue became much more flourishing than at present it appeared likely to become, it would be 10,000,000*l.* in arrear in July next. He could believe, if the right hon. gentleman had left the consolidated fund without providing for it, that he might have reduced what he chose to call the unfunded debt; but in leaving that fund unprovided for, he was leaving the fund out of which the dividends when due, were paid, also unprovided for; so that, after paying off these 10,000,000*l.* he would only have 3,000,000*l.* in the treasury, instead of 13,000,000*l.* to meet the dividends. If the right hon. commissioner of woods and forests had not been absent from the House, he would have called their attention to the strong opinion which he (Mr. Huskisson) had once expressed regarding the impropriety of increasing the arrears on the consolidated fund. Instead of the income of this fund being made equal to the charge, the charge upon it was progressively increasing, while the income was progressively falling off; and yet, notwithstanding this growing deficiency, it was intended, he understood, to provide for the payment of the interest upon the new loan out of that fund. A bill was now before the House to enable the bank to secure the re-payment of any advances which it might make to government out of the produce of the revenue, so that if its advances at any time to pay the dividends should exceed the produce of the preceding quarter, this establishment was to be paid the balance out of the revenue of the succeeding quarter. Hence, in the event of the exchange being against us, and the occurrence of a bad harvest, it might happen that the run on the bank for cash or bullion might be such as to render that establishment unable to make any advance to the government, especially in consequence of the accumulation of the balances to which he had alluded. The bank must of course first attend to its own constituents and creditors, and should such attention disable it from accommodating the government, what was to become of public credit? He conjured the House, then, as it valued that credit, as it regarded the interest and safety of the country, cautiously to consider the character and tendency of this bill. He by no means intended to throw out any reflection upon those gentlemen who had the direction of the Bank, but he deprecated the idea of investing them with the power which this bill proposed to establish; for if the Bank should be enabled through such a measure to lay hold of the growing produce of the revenue, what, in the event which he had mentioned, was to become of the public creditors, or how were the dividends to be paid? He hoped and trusted that the House would take these circumstances into its most serious consideration before it acceded to such a bill as that which he had described.

Mr. *John Smith* did not understand that any answer had been given by the right hon. gentleman opposite to the question asked by the hon. member for Penrhyn, whether 7,000,000*l.* of exchequer-bills had not been issued in lieu of those which had recently been funded. If they had not been issued, he was anxious to undeceive that portion of the public which supposed that the right hon. gentleman either had filled up, or intended to fill up, the vacuum which he had just created in the market, by a fresh supply of exchequer-bills.

Great satisfaction had pervaded the country, owing to a declaration which the chancellor of the exchequer had made in the last session, that not more than 5,000,000*l.* would be wanted for the year 1820, to repay the Bank; that declaration made by the chancellor of the exchequer in that House, had been reiterated by a person high in office in another place; and therefore it appeared to him that it was incumbent upon the right hon. gentleman to give some answer to the question which had been asked of him. He was sorry that a transaction of a nature like the present had been attended with so much confusion: the effect of it had been, that the individuals who had engaged in the subscription of the loan were only ten in number, and friends (he meant no insinuation again any individual) of persons now in office; and that every person who had attended, whether on their own account or on that of their friends, had been totally excluded from it.

The *Chancellor of the Exchequer* asserted, that no preference had been shown to any individuals, and argued, that the long notice which had been given of the terms of this loan was a proof that no partiality had been exercised in any quarter. Since Friday last, every man in London knew how this loan was to be effected; and the conducting of the preparatory steps to it had been intrusted to the Bank directors, whose upright and impartial conduct upon all occasions nobody would dispute. He then proceeded to state, that he had no doubt but that the hon. gentleman would perceive that the transaction of transferring the supplies for the service of the year 1819, to the service of the year 1820 could give no assistance to the general finances of the year, inasmuch as it could give the government no power to create fresh exchequer-bills. A reduction of 10 or 11 millions of exchequer-bills, from 39 to 28 millions and a half, had certainly been made; and if the hon. gentleman looked again into the papers presented to the House, he would find the statement which he had made to be perfectly correct.

Mr. *Maberly* said, that he supposed the chancellor of the exchequer had declined to give an answer to his question, because it had not been worded with all the nicety and exactness of a special pleader. He was no lawyer, but still he would endeavour to put his question for once with special pleading accuracy. He therefore would ask, what amount of exchequer-bills voted for the service of the year 1819, were unsold on the 5th of January, 1820? The answer to that question would inform the House of the number of exchequer-bills which were yet to be put into the market for the year 1819; and then they would also know how many it would be necessary to put into the market for the year 1820. The hon. gentleman then repeated what he had before said, that there was a total of 45 millions of exchequer bills yet unfunded, and also ran over the details, which he had previously given necessary to prove it. He trusted that the right hon. gentleman would still consider the danger of increasing the deficiency on the consolidated fund, by putting additional loans on that which for some years past had been a decreasing fund. If he did not, he would always have a deficiency upon that fund on which Mr. Pitt had always had a surplus; and this, he must again repeat, could not long continue without producing deplorable consequences.

Mr. *Peirce* vindicated the conduct of the Bank, and its agent, with regard to the transaction of this morning.

Mr. *J. Smith* disclaimed any intention of casting the slightest reflection upon the Bank. He recollected a similar confusion some years ago, and from a suspicion of unfair practices, the transaction was referred to the examination of a committee, one of whom he happened to be, and the committee found that there was nothing of unfair preference. The confusion, indeed, arose from a trial of physical strength to get in, which, of course, respectable men would avoid; and therefore some measure should be taken, on a future occasion, to guard against such conduct.

Mr. *Grenfell* perfectly agreed with his hon. friend as to the necessity of keeping up the consolidated fund, and not suffering it to go into arrears of seven millions and a half annually, to cover deficiencies of loans and exchequer bills. He thought there was something extremely unintelligible in the plans of the right hon. gentleman. All he understood of those plans in effect was, that each quarter there were certain sums advanced by the bank, for which they were allowed to take possession of the growing produce of the revenue.

Mr. *Ellice* observed that if he understood the remarks of the right hon. the chancellor of the exchequer, his object was, to borrow a million and a half, besides the sum to be derived from the sinking fund—that was, that the unfunded debt should be diminished by 10½ millions, while he was at the same time borrowing 12 millions. He would now ask, where were the promises which the right hon. gentleman had made last year, that the finances should be placed on a permanent system? But last year 3 millions of new taxes were proposed; those were found inefficient, and we were still going on borrowing from year to year, without any thing like a permanent system.

Mr. *Maberly* repeated his question respecting the amount of exchequer bills remaining unsold in January last; stating his intention, if not distinctly answered, to bring forward a distinct motion upon the subject.

The *Chancellor of the Exchequer* said, that the exchequer bills voted in 1819, were issued to replace those of 1818; so that this issue formed no addition whatever to the unfunded debt.

Mr. *Maberly* asked, why did not the right hon. gentleman give a plain answer to a plain question, as to the amount of the exchequer bills unsold in January last, whether issued to replace those of 1818 or not? The right hon. gentleman's mode of answering was indeed complete special pleading.

The *Chancellor of the Exchequer* declared, that the only answer which he could give to the hon. member's question, whether it was special pleading or not, was simply this, that it was not in his power distinctly to answer it, because he did not recollect the precise amount of the bills alluded to.

Mr. *Baring* asked when it was intended by the Bank to issue the new notes which had been so long looked for, or whether the sort of note to be manufactured was yet determined upon?

Mr. *Courtenay*, as one of the committee upon this subject stated, that the machinery for executing the notes alluded to, was constructed in the Bank, and that every practicable expedition was using to prepare the notes. He added that there was now no uncertainty whatever with respect to the sort of note to be issued.

Mr. *Peirce* said, that some of the new notes would be struck off in a few days, but as a great quantity must obviously be manufactured before any were issued, it was impossible to say at what time their issue would commence.

Mr. *Baring* did not at all doubt the diligence of the Bank upon this subject, but he could not see the propriety of the delay contemplated before any of the new notes were issued, as it did not appear to his mind necessary to provide at once for the exchange of all the old notes.

The Resolutions were agreed to.

PETITION OF GEORGE DEWHURST COMPLAINING OF ILL TREATMENT IN LANCASTER GAOL.] Mr. *Whitbread* presented a petition from George Dewhurst, now a prisoner in the Castle of Lancaster, complaining that he had been confined for two months upon a charge of high treason, and during that time confined to hard labour, and compelled to wear the felon's dress. The charge of high treason was afterwards abandoned, and he was subsequently tried and convicted of a misdemeanor. The petitioner further complained, that he had not been permitted to give bail upon the charge of misdemeanor, and alleged that he had been innocently led into attending a meeting on the 15th of November, 1819, which was the charge upon which he was convicted.

Lord *Stanley* said, he did not rise to offer any opposition to the motion for laying the petition on the table, but to defend the character of the person who had the charge of the castle of Lancaster. The noble lord proceeded to remark on the humanity of that individual, and read a copy of an order issued by the magistrates of the county, by which a discretionary power was given to the gaoler of imposing solitary confinement, and other restrictions, on those prisoners who refused to work, or to comply with the other regulations of the prison.

Mr. *Bennet* said, there was no law by which a man could be compelled to work even after sentence, unless for certain crimes, or when that sentence was expressly awarded. Then, as to wearing gaol liveries, every one knew the main object of wearing such clothes was, to prevent disguise, and therefore to narrow the facilities for escape. But for this there was also no law. What would any gentleman committed on a criminal charge think of being obliged before trial to wear a felon's dress? And no one could say when it might be his case—in a case of duelling for example. But such might be the case if they were confined in certain gaols throughout the country. He thought the magistrates had illegally taken on themselves to impose these restrictions. Such conduct was contrary to the act of the 19th of the late king, by which the use of gaol clothing was only to be enforced under certain limitations.

Dr. *Lushington* considered the statement of the noble lord to be an aggravation rather than an extenuation of the wrongs complained of by the petitioner; and he further considered the magistrates who had issued such an order as that under which he was rendered liable to their infliction, as principal parties included in the charge. So much had the question of imprisonment been discussed within the House, that he was astonished the magistrates had taken so much upon them. He might be excused if, on this subject, he expressed himself with some little warmth; but he asked his noble friend what justification he set up for the conduct pursued towards the petitioner? Why, forsooth, the petitioner had refused to wear the livery of the gaol, and the order under which the gaoler acted gave him a power of punishing the offender, and why?—"for setting a bad example." Well, and was the petitioner guilty of any offence? No. He was as yet untried, when he was forced to hard labour, and to the wearing of a gaol livery; he was in that situation in which the law pronounces every man to be innocent. But such were the circumstances under which not only the petitioner, but every other person committed to the gaol of Lancaster might be subject to such arbitrary indignities. When parties were found guilty of a crime of magnitude, it might be proper to oblige them to labour; but when they considered that for an imputed crime, any hon. member might be sent to gaol, ought they not to look to the manner in which magistrates exercised the almost boundless power which was vested in them? Did any man in the present day mean to say, that he might not be committed to a gaol where such orders were enforced, and be committed for no offence whatsoever? Let them look at the discretion vested in the gaoler, so powerful an officer in the present day, and they would find how much was committed to him. Either before or after trial he could enforce hard labour and the gaol livery on any prisoner. After what he had said, he wished to guard himself against the possibility of that misrepresentation. He wished generally that the prisoners should employ themselves before the period of their trial.

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Lord *Milton*, in adverting to the arbitrary and degrading treatment to which the prisoners were subjected by this order, expressed a wish that his noble friend had been in that situation, which would have given him a control over the magistrates at the time this order was made, for in that case he was sure that such a proceeding would never have taken place.

Mr. *Bootle Wilbraham* said, that of the existence of this order he had been perfectly ignorant till the present moment. From its date it appeared to have been made in the year 1800; and he had no hesitation in saying that he disapproved of it. At the same time there could not be a stronger proof that it had not been much acted on, than the circumstance of this being the first time that it had been complained of, or that the House had heard of its existence.

Mr. *Scarlett* said, he had reason to believed, from what he knew of the individual who had the charge of the castle of Lancaster, that there did not exist in the kingdom a man in the situation of gaoler who deserved more praise for the manner in which he treated the prisoners under his charge. This petitioner had been convicted of attending an unlawful meeting; and he was surprised to see it stated in the petition that the meeting had been quiet, and peaceable. It had on the contrary, been proved that many of the persons who attended it had arms with them, and that when the soldiers appeared they took off the pikes which they had before fixed on their staves.

Mr. *Blackburne* begged to add his testimony to the exemplary character of the gaoler.

Lord *Folkestone* said, that general testimony respecting the character of an individual could not prevail over the evidence of particular facts. He hoped the petition would be printed, not solely on account of the treatment which the petitioner had suffered while in confinement, but because he had been committed by the magistrates, and detained in prison for two months, on a charge of high treason, after which notice had been given to him, that he was to be tried for a misdemeanor only. His prison dress had then been changed, and he had been put into a different yard. But the object to which he wished particularly to advert was, the wish of the Lancashire magistrates, in every instance, to set the laws at defiance. They had committed this individual on a charge of high treason, but he had yet to learn that a magistrate or a justice of the peace possessed the power of committing for high treason. If he was wrong in believing that no magistrate had such a power, there were learned gentlemen present who could correct him.

The *Attorney General* was astonished to hear the noble lord make such an assertion as that magistrates or justices of the peace had not the power to commit for high treason, because, on former occasions, he had heard the noble lord, in discussing questions connected with the laws of the country, evince a degree of legal knowledge which he should have thought would have prevented him from falling into such a mistake. The learned gentleman said it was distinctly laid down in Burn's Justice that a magistrate had the power of committing for high treason.

Lord *Folkestone* would not dispute on legal points with the learned gentleman, but he had thought it was explicitly declared in the book to which the learned gentleman had referred, that a magistrate or justice could not commit for high treason, and that felony was the highest crime within the commission of the peace.

The petition was ordered to be printed.

AGRICULTURAL DISTRESS—COMMITTEE APPOINTED.] Mr. Holme Sumner moved the order of the day for resuming the adjourned debate on the motion for appointing a committee on the agricultural distress. The Speaker put the question—"that Mr. Holme Sumner be a member of the committee." Upon the suggestion of Mr. Baring that it would be more convenient that the committee should, in the first instance, be named generally, the Speaker read over the names of Mr. Holme Sumner, Mr. Forster, Mr. Canning, Mr. F. Robinson, Mr. V. Fitzgerald, Mr. Huskisson, the Lord Mayor, lord Milton, sir J. Newport, sir T. Ackland, Mr. Irvine, Mr. Western, Mr. C. Dundas, Mr. J. Benett, Mr. Baring, Mr. Brougham, Mr. Coke, Mr. Gooch, and Mr. Frankland Lewis. On the name of Mr. C. Dundas being put from the Chair,

Mr. *Baring* rose, and observed, that he could not allow even the reading of the names to be concluded without expressing his decided opinion that a committee so formed could not leave a moment's doubt as to the nature of the report at which they would arrive, even before they proceeded to examine a single witness, or to inspect a single document. At the same time, after the majority which the hon. member for Surrey had obtained last night, he was not prepared to say that the hon. member was not justified in the course he was now pursuing, and he begged merely to enter his protest against being supposed to consider this committee so appointed as likely to do any thing to elucidate the subject, or to benefit the country. He knew as well as if it were now upon the table, what kind of report would be made, and the whole formation of the committee was such as to excite the most just alarm in every part of the kingdom.

Sir *J. Newport* did not think the hon. member at all justified by the fact in the remarks he had made: if he (sir J. N.) entertained the same opinion of the committee, he would unquestionably refuse to belong to it. He should enter upon the inquiry with a firm conviction that it was his duty to point out such measures as, while they relieved the agriculturists, would not only not injure but advantage, every other class; and if he thought that the other gentlemen named would not commence the subject with the same disposition, he would not act with them.

Mr. *Sumner* complained that he had not been quite fairly dealt with. The hon. member had desired time last night for the choice of the names to which he intimated that he should not object, under these circumstances an objection from him came rather ungraciously. Besides he had no right whatever to stigmatise the supporters of the inquiry, and to hold them up to the country as a source of alarm. He believed the members he had selected for the committee were as fair and honourable men as could be chosen, and were as little calculated to excite public alarm as the hon. gentleman himself. He could only say, that it was impossible for him to know with any precision the sentiments of others; but as far as he had been able to arrive at any degree of certainty upon the subject, he could assert that he had only done what it would have been absolutely foolish in him not to have done in the situation in which he stood; that is, he had procured for himself a fair majority [a laugh]. Was it to be supposed that he should propose a committee with a majority against himself?

He did not know what had excited the risibility of gentlemen on the other side he had proposed nothing unreasonable—nothing inconsistent with the ordinary practice on such occasions on both sides, of the House; if a committee were to be appointed from the treasury bench, ministers took care to secure a majority; or, if their antagonists prevailed on any question of inquiry, they also took care not to be in a minority on the committee.

Mr. *W. Smith* said, that when he voted last night in favour of the committee, all he meant was, that he could not reconcile to his judgment or to his feelings to refuse to so large a proportion of the inhabitants of the country an inquiry into a subject which appeared to them to be of so much importance. He did not know how to say to the agriculturists, who stated themselves to be starving, "we will refuse to take your case into consideration." He had never intended by his vote to hold out an expectation that the committee would be able to grant a partial relief beyond what the agriculturists at present enjoyed. If the cultivators of the soil could make out a case, he did not wish to deny them the opportunity; but when the hon. member for Surrey mentioned, that he had taken care to appoint a committee which would give him a decided majority, he went a little farther than he (Mr. Smith) intended to proceed. There were two questions; first, whether the case should be taken into consideration—and upon that point the hon. gentleman was undoubtedly in the right to make out a list of members who would entertain the subject; but if he endeavoured on the second question, the relief that ought to be granted, to secure a majority for the purpose of changing the present system, and rendering it more favourable to the landed interest, then he contended, it was not such a committee as the House ought to appoint. The right hon. baronet had insisted that the members were as fair and impartial as any that could be selected. He did not mean to say that any gentleman would act unfairly according to his own views of fairness; but if 12, or 13, or even if 11 gentlemen out of 21 entered upon the inquiry with a full conviction that more relief ought to be granted to the farmers, the report would, of course, be accommodated to their views of justice and propriety.

Mr. *Sumner* declared, that in the expression that he had secured a majority in the committee, he simply meant that he had secured a majority, not for absolutely granting relief to the agriculturists, but for taking their claims into consideration.

Mr. *Calcraft* said, that when he had voted against the appointment of a committee, he was aware that a certain degree of distress prevailed among the agriculturists, but he could not conscientiously consent to inquiry, when he heard its advocates talk of nothing but relieving the country at large by increasing the price of corn. He had, in fact, refused it entirely on this ground. When, too, the hon. member for Surrey, by gaining a majority, had become, as it were, in his own person the government of the country, and had taken upon himself to name his own committee for his own purposes, he took it for granted that he would appoint such gentlemen as were favourable to his views: on that very ground he had felt alarm, and on that ground he thought that alarm would be felt throughout the country. As to the distress of the agriculturists, though he was convinced that it existed, he was convinced also that it had been extremely exaggerated. He had gone through various parts of the country, and he had had intercourse with gentlemen largely concerned; and from all he could see and hear he was satisfied that this extreme agricultural distress was never heard of but within the walls of the House [Hear, hear!]. He used the words "extreme distress" purposely, for he remembered that the hon. member for Essex (Mr. Western) four or five years ago, had made an admirable speech upon the subject, had given details from different parts of the country, had dwelt upon the number of farms that were unlet, upon the executions in the houses of broken agriculturists, and of the amount of rent remaining in arrear; but where were such statements to be found, on the present occasion? He must say, that he had never heard a case more partially stated; nothing but corn was talked of, though he should like to know whether the stock-farmer had not been prosperous: if the grower of grain had been unfortunate, what was the state of the breeder of cattle; and had he been an equal sufferer? He would only add, that, though he would not turn a deaf ear to the number of respectable petitioners who presented themselves, yet he thought it was matter of alarm to the nation that such a vote had been passed as that of last night.

Mr. *Brougham* suggested, that it might be convenient if hon. gentlemen would confine themselves to the question really before the House. This was not the ordinary case, where form was of no importance, and substance every thing: the substantial question regarding the instruction to the committee would presently be introduced; for he now learnt with surprise, that the vote of last night was to go for nothing, and that a new discussion of the whole subject was to be invited: if the division and majority were indeed to be passed over he could not help it; he was ready to debate again, and to divide again only he sincerely hoped that the result would be the same. He trusted that gentlemen would so far consult the convenience of proceeding as to confine their remarks to the point of nomination; to the formation of the committee merely, for that was all that was now before the House. In his opinion, it was a great mistake to assert that eleven or even ten of the members selected, were in favour of extended relief: he had looked over the list, and could assert that there was a bare majority of those who were disposed only to inquire. The hon. members for Devonshire and for Waterford and himself were pledged only to the extent of inquiry in deference to the claims and great interests of the petitioners. They were by no means sure that any relief ought to be granted; and he mentioned this fact only to show how erroneous the impression was that the majority of the committee had pledged itself to raise the price of corn. He had been astonished at the merriment excited because the hon. member for Surrey wished to secure a majority. Suppose he were in a minority, the result would be, that on the first meeting of the committee, the chairman would be directed to report progress, and not to ask leave to sit again; or even if the numbers were equally balanced, nothing could be done, and the matter must be left in a state of neutrality and inaction. A majority was thus absolutely necessary. He pledged himself that nine gentlemen of the committee were absolutely opposed even to inquiry, and such being the fact, could any man assert that a fairer committee had been ever struck?

Mr. *C. Dundas* declared, that if he did not consider that the interests of the agriculturist and the interests of the manufacturer were inseparable, he would not consent to act as a member of the committee.

Mr. *Bright* observed, that he found his name among those whom it was proposed to appoint on the committee. If it were imperative on him to attend, he would certainly do so; but after the declaration of the hon. member for Surrey, that he had secured a majority, if he could by any possibility decline being on the committee he would; and he therefore put it to the courtesy of the hon. gentleman to excuse him. It appeared to him that the hon. gentleman had let out the whole mystery of appointing committees; and, as a young member, he had received a lesson that night which he should not readily forget.

Mr. *Bankes* objected to wandering from the simple point at issue, and expressed his approval of the nomination of Mr. C Dundas.

Mr. *Spooner* felt a strong objection to the composition of the committee, as on looking over the list of names he found that not one member from the great manufacturing counties of Warwickshire, Staffordshire, or Lancashire, had been included. If any good were to be derived from the inquiry, which he greatly doubted, it must be accomplished by conveying to the public, that it had been conducted by those who were most competent to give the great subject a fair, full, and dispassionate investigation. Two points were to be considered; first, if relief were necessary, and next if that relief could be supported by the manufacturing interest. If the committee came to the conclusion that a high price for grain would relieve the manufacturers, he hoped it would not be done without at least the show of justice, by adding some members connected with the great counties he had mentioned.

Mr. *Maxwell* said:—It would be unfair to the hon. mover, if I did not state that one of the members of the manufacturing counties was nominated in his committee, before I requested that my name might be erased. Feeling, as I do, that no method is fair, just, or efficacious, but that obtained by a protecting duty, I thought myself unfit to be a member of a committee, whose avowed object was, to adhere to the principle of prohibition. No wish to avoid the unpopularity which it might have given me, would have had the smallest influence in leading me to this resolution, because I am confident, that the petitions of the agricultural classes particularly demand our consideration and our regard, these constituting the great market for manufactures, and being the great interest of the empire. When I state to this House, that the county which I have the honour to represent, is supported for nearly ten months in the year by imported grains; that the condition of the manufacturing classes is more deplorable and more afflicting there than in any part of the British empire; that my personal interests are dependent upon, or at least essentially affected by the distress or the prosperity of the manufactures and commerce of the county, it will be seen that my prepossession must be favourable to the views of the trade of the country. But, Sir, I am not so ignorant of the real interests of the state, nor so ill-informed of the principles of sound policy, as to imagine that there is a difference of interests in the relations of the manufacturer of grain and the manufacturer of clothing, food, tools, and machinery indispensably necessary to the farmer. Will the farmer gain by making the labourers of the manufacturer and the merchant pay more for their food, when the value of those materials which they produce, and he buys, entirely depends on the wages which they require to buy food? Will the farmer gain by making the butcher, the baker, the brewer, the carpenter, blacksmith, tailor, miller, miner, charge more for the flour, fuel, plough, spade, meat, bread, beer, clothing he is to use, and without which he cannot exist? But, Sir, if it were decorous or just to suppose, a class whose interests were at variance with those of the rest of the community, it is the persons who navigate, and the persons who make the goods for the foreign consumer. It might be supposed, and with far more appearance of probability, that they have an interest which has been so unjustly alleged against the agriculturist—an interest, not in steady prices, not in a regular market, not in improvement of the empire, but in the export of goods and import of grain, whatever might be the tendency of their system, and whatever the dependence on our neighbour, perhaps our enemy, which it might produce. I would, however, venture to suggest the propriety of adding the names of Baring and Ricardo, the hon. members for Taunton and Portarlington, to the list, as men whose views would never change or influence the truth, whatever way the investigation might present it. I cannot sit down without stating, that I am sensible my vote may gain me unpopularity and dislike, and without expressing my belief, that the hon. member for Winchelsea and the hon. mover will one day have the gratitude of the country, and particularly of the working classes and distressed manufacturers.

The motion was agreed to. On the question that Mr. Bright be a member of the committee,

Mr. *Sumner*, adverting to the wish expressed by that hon. gentleman to be excused from the committee, observed, that he had not the honour of knowing him, but that he had named him because he understood he was a man of talents, and because he was a member for Bristol. On the same principle he had nominated Mr. Canning and the Lord Mayor. He repeated his explanation, that in using the word "majority," he had merely meant a majority of persons disposed to inquire into the subject.

Mr. *Bright*, in explanation, said, he waved his objection to serve on the committee.

General *Gascoyne* said, there was no member of that House to whom, individually, as a member of the committee, he should object. His objection was to the constitution of the committee altogether. It was of the highest importance for the public to be convinced that the committee was selected in the most impartial way; and the mode he proposed was by ballot [cries of No, no]. Gentlemen might say "No, no;" but let the question be put, and they would then have an opportunity of supporting their negative. The feelings and even the prejudices of the public must be consulted [A laugh]. Gentlemen might laugh; but that laugh proceeded in some degree from want of reading, for it was at variance with the opinion of every author who ever wrote upon political economy. The hon. member concluded by moving, as an amendment, that the committee be chosen by ballot.

Sir *M. W. Ridley* thought it extremely fortunate that no one had seconded the hon. general's amendment. He certainly regretted the decision which the House had come to on the preceding evening; but he trusted that the House would now take a course which should completely dissipate the alarm which, in certain quarters, that decision had excited. The country had little to fear from the committee, as proposed by the hon. member for Surrey: the members for Liverpool, London, and Bristol, afforded sufficient guarantee for the security of the manufacturing interest. It was, he thought, the very objections which were made by persons of rank and of intelligence to the committee as proposed, that were most likely to create distrust and suspicion in the minds of the inferior and less enlightened classes. Had he been in the House last night, he should certainly have voted against the motion of the hon. member for Surrey; he should now be happy to give his vote for any proposition which should go to confine the powers of the committee; and he sincerely lamented any proceeding which tended to light up the torch of discord between two classes whose interests ought always to be considered as united.

Mr. *Baring* was free to declare it to be his opinion, that if the House evinced any disposition to follow the course indicated by the gentleman who had moved and supported the motion, there would be ample ground for alarm, and he, for one, would be ready to pull the tocsin with all his might. If the House was determined to take such measures, the country could not take the alarm too generally nor too immediately. He trusted that he should not be misunderstood, and that no one would suppose that he could wish to favour the promotion of irritation, or hold that such measures ought to be opposed by tumult or commotion. Gentlemen who were members of that House at the time when the last Corn bill was passed, might remember that it was, at last, owing to such commotions that the bill was carried—[No, no!]. Certainly, whatever might be the opinion of gentlemen, the opposition of the House to that measure had rather been weakened than strengthened by the popular clamour. He was, however, of opinion, that if the House did propose to take the course to which he had alluded, the country could not too soon feel that alarm which should induce them to oppose it by constitutional measures. To use the language of one of the greatest and most eloquent men who ever sat in that House, "the alarm-bell at midnight, which disturbs our rest, may perhaps prevent us from being burnt in our beds."

Mr. *Brougham* saw some little inconsistency in the feeling of the hon. member, who, while he deprecated alarm as one of the worst effects likely to be produced by the appointment of the committee, proposed to be the first who should pull, what he called "the tocsin," upon the occasion. Now, alarm was either good or bad. If good, pull the tocsin; but then why deprecate it? If bad, why promote it? Why deprecate alarm as the worst effect the measure could produce; and yet think it so necessary, and so valuable, and so salutary, as to say, "I must pull, pull, pull the tocsin as hard as I can?" He did not doubt the motives of the hon. gentleman; but he must venture to doubt the good effect of pulling the tocsin.

Mr. *Baring*, in explanation, said, he wished to avoid giving any unnecessary alarm; but the great evil was, that the alarm might, as in this case, be so well founded, as to show that the thing which created it was prejudicial to the best interests of the country.

The Speaker then put the question, that Mr. Bright, sir Thomas Ackland, Mr. John Fane, Mr. Bankes, Mr. Brougham, Mr. J. Benett, Mr. Irving, Mr. Coke, Mr. Gooch, and Mr. Frankland Lewis, be members of this committee, which was carried.

Mr. *Robinson*, without renewing the discussion which had taken place upon the preceding evening, would simply explain to the House why he now took a course which he had not then adopted. He objected to the principle upon which the motion of the hon. member for Surrey had been brought forward. Those particular circumstances as to which, in his opinion, inquiry might have been beneficial, did not, he thought, afford ground for the appointment of a committee; and therefore, although he should not have objected to an amendment, he did not propose one. An hon. friend of his had proposed an amendment, and the House had only been prevented from coming to a decision upon it by a point of form: it appeared that the hon. member who moved the previous question could not withdraw it without the unanimous consent of the House. He thought it his duty, however, since the House had determined that inquiry should take place, to limit that inquiry within the narrowest possible bounds; at least, within those bounds which he believed could alone lead to any practical advantage. The right hon. member then moved, "That it be an instruction to the said committee, to confine their inquiry to the mode of ascertaining, returning, and calculating the average prices of corn in the twelve maritime districts, under the provisions of the existing corn laws, and to any frauds which may be committed in violation of any of the provisions of the said laws."

Mr. *Wodehouse* did not last night wish to obtrude himself on the House. He was most anxious, however, that measures should be taken to suppress that dreadful system of gambling to which the corn trade at present was so peculiarly liable. Serious disadvantage resulted from the difficulty which existed in getting fair returns of the inferior sorts of corn. His right hon. friend, the president of the board of trade, thought that much of this inconvenience might be remedied by the interference of magistrates; but he (Mr. Wodehouse) was persuaded that magistrates would, in such a situation, be exposed to considerable difficulties. He knew of no act giving magistrates a controlling power in this respect, except the 31st of king George 3rd. This gave the magistrates an opportunity of checking the average, if the inspector were incorrect by the official corn returns; but that was insufficient. An hon. gentleman who sat near him felt somewhat incredulous as to the frauds committed in the corn trade; and he had himself, at one time, been nearly as incredulous as that hon. gentleman; for, though he certainly believed that frauds were practised, yet he had, as certainly, no conception of their importance, and of their extent. He was far from intending to raise a hue and cry against any trade; but he had received information from a quarter which he could not doubt, although he was unwilling to disclose it, of a fraud which had been committed, doubtless unintentionally, by one of the very first houses in Hamburgh. One of the principal dealers at Hamburgh had shipped a considerable quantity of wheat to this country, of a very superior quality. From the peculiar quality of this grain, the shipper was desirous to see it after it was warehoused; but, on inquiring at the warehouse, he was told that he could not see it; it was gone. He (Mr. Wodehouse) did not know that his credulity might not have been imposed upon; but it was important that the public mind should be set at rest. There was considerable difficulty in procuring, under the existing regulations, correct returns of the quantity of corn grown in large districts. To show the uncertainty of any average prices, founded upon the general returns, he would mention a single circumstance. On the 7th of November, 1815, a return was made from Lynn, in Norfolk, of 1,053 quarters of wheat, which cost near 3,000*l.* averaging a price of 56*s.* per quarter; while a return on the same day was also made from Mold, in Flintshire, of two bushels, which cost 1*l.* 5*s.*, averaging, therefore, 100*s.* per quarter. Now, in the general average which was struck of the price of corn, the two bushels at Mold had as much influence in determining the amount as the 1,053 quarters at Lynn!

Mr. *Walter Burrell* remarked, that it was evidently the intention of his majesty's ministers to fritter away every power and important function of the committee. He was sorry to find that an inquiry into the distresses under which agriculturists laboured should be so strenuously opposed. On the subject of averages great abuse existed. The county of Sussex, for instance, sent its corn to the London market, and therefore the averages were taken from the latter place, where the increased charges were added, and not from the place where the corn was grown. It was high time to speak out. He was decidedly of opinion that the agriculturist must be supported, or else he could not pay his taxes. The landholder wished not for monopoly, but for justice; he wished to be enabled to pay the fundholder his dividends. It was most unfair to charge him with being the cause of those public burthens, which, in fact, were imposed by the expenditure and taxation of the country. Unaccustomed as he was to address the House, he should say no more, but conclude by moving, as an amendment, "That it be an instruction to the committee to inquire whether the present mode of taking the averages ascertains the actual market-prices of grain throughout the United Kingdom, or whether any other method may be better adapted to accomplish that purpose."

Mr. *Stuart Wortley* admitted, that indeed it was high time to speak out when such doctrines as the House had just heard were gravely laid down. He then, for one, must fairly say, that the country was not at this moment in a situation to bear a higher price of corn. He admitted, with the supporters of this motion, that the agriculturists were entitled to every protection which could be consistently extended to them; but he was convinced, that of all classes they were suffering the least, and that their distress bore no proportion to that of the manufacturers. Had he been in the House on the preceding night, he certainly should have voted against the appointment of a committee, being satisfied that the country could not afford to pay the landowners a higher protecting price for their produce than was already paid; and he trusted that the House would not be induced to make experiments, which could only end in proving the correctness of this opinion. He should therefore now support the instruction to the committee proposed by the right hon. gentleman at the head of the board of trade.

Mr. *Benett,* of Wiltshire, denied that he had ever been an advocate for high prices, and said he looked on the appointment of the committee as one step to their permanent reduction. Could it be supposed, that if the whole land were thrown out of cultivation, and we depended on foreign supplies alone, that the price of corn would be low in this country? Surely not; and whatever therefore tended to the protection of our agriculture, and to preserve us from foreign dependence, must have a tendency to avert the evil of high and fluctuating prices. It had been shown, in Mr. Colquhoun's book, that, in those years when we were under the necessity of importing corn in the greatest quantities, we never received a supply from abroad more than sufficient for 39 days consumption in the year. A good deal had been said with regard to the high price of cattle during the last year; but the fact was, that about four years ago that price was so low as very materially to check the propagation, and the present rise was but a reaction from the scarcity so produced. The great mischief of the corn-laws, as now framed, was, that they kept alive a constant anxiety in the minds both of the farmers and merchants. He had not the honour of a seat in the House when the measure of 1815 was adopted, or he should have stated this objection, for at that time he clearly foresaw the evil to which he was adverting. He wished to see another system substituted, and a direct duty imposed on foreign corn, equivalent to the superior taxation which we had to support. It had been truly said by a great authority on subjects of political economy, that, were it not for our immense debt and taxation, no protection would be wanted; the land, as well as the manufactures, would then be able to maintain itself; but then, while those burthens remained upon us such duties were necessary, or else our land must go out of cultivation, and our population be reduced to the utmost distress. Foreign corn might now be imported at a price absolutely lower than the amount of our taxes, added to the tithes, the poor-rates, and the wages of labour. One of the first consequences, therefore, of large importations of foreign corn, must be a reduction of wages greater than the disgraceful and unjust reduction (he meant in proportion to the difference in the price of corn) which they had already undergone. Another opinion which he had been led to form was, that there was no very large portion of surplus labour in the country; for, although wages were so low that the agricultural labourer could hardly procure bread and water, yet in harvest-time a sufficient number of hands could not be obtained, even at double the former allowances. He had only to add, that if he should be on the committee, he, for one, should have no wish to extend the protection beyond the point fixed in 1815; but he trusted that the committee would not be restrained from making a full report, and investigating every branch of the subject; as nothing would tend more to the satisfaction, if not to the relief of the suffering parties.

Mr. *Monck* thought it but just to recollect that the question related not only to the price at which the farmer could grow his corn, but to what the poor man could afford to pay for it. The great objection to the corn-laws was, that they affected the poor in a cruel and disproportionate manner. It appeared that we might now, if there was no restriction, import corn at 50*s.* per quarter, but, in consequence of that restriction, the price was between 70*s.* and 80*s.* This was a matter of little moment to a man of large fortune, though perhaps he had a family of eight children. He did not altogether consume more than eight quarters of corn per year, and of course the addition of 8*l.* per year to his expenditure was not perceived. But how did it operate upon a man with eight in family, who perhaps had only thirty pounds a year? An additional charge of 8*l.* was in fact a tax upon him of twenty-five pounds per cent and must ultimately ruin him. It was a tax also from which he could not escape, for he must either pay it or cease to live. The House now saw the result of the Corn bill; namely, that it caused the greatest disproportion between the reward of labour and the price of the necessaries of life; and the consequence was, that a great body of the people were reduced to the dreadful alternative of starvation or pauperism.—This, to be sure, was a frightful statement, but it was as true as it was frightful; and he therefore considered it to be his duty to vote against the committee, because he was persuaded that, if their deliberations were not utterly useless, they would only have the injurious effect of raising prices, which in his opinion were already much too high.

Earl *Temple* entertained a hope that, as the committee was appointed, its inquiries might be productive of advantage; but at the same time he took this occasion of stating, that he for one would resist any measure that might be introduced, the object of which was to add to the price to be paid by the labouring classes for their corn or bread. They ought to be cautious how they raised the provisions beyond the ability of the people to purchase. Had he been present on the preceding night, he should indeed have felt inclined to oppose the appointment of a committee on the subject. He was certainly not prepared to name any specific remedy for the distresses of the agriculturists; but he thought it clear that these were not times for tampering with the feelings of the community. They were not times for legislating on the price of an article necessary to the existence of all. He did not mean, however, to say, that he regretted the appointment of a committee, because he trusted some good might arise from it; and with this impression he should vote for the original motion.

Mr. *Wilmot* thought it was paltering with the agriculturists to grant a committee, if there was not an intention to support remedial measures in their favour. It would have been better to oppose the appointment of a committee than to resist all practical measures which it might recommend. He could not conceive any thing more futile than to agree to a motion, and then set one's face against the objects proposed. On the Catholic question, for instance, a subject which was to be shortly submitted to them, if any member were to say that he supported going into a committee, but at the same time stated his determination to oppose every object of that committee, what could be more contradictory? His own belief was, that all they could do was by a legislative process to extract from the manufacturer something to be given to the agriculturist. He approved of protection to a certain point, and the price fixed in the year 1815 had been virtually increased by the alteration in the value of our currency. The only remedy was to be found in a remission of rent upon poor lands, when the existing leases should expire, and new contracts be entered into. It ought, however, to be observed on behalf of landlords, that they were as much entitled to protection for the capital which they had vested in land, as if that capital were employed in any other way. They ought to be considered in the light of manufacturers of corn. He agreed with the remarks that had been made by the hon. member fer Portarlington; but yet he thought they were rather theoretical than practical. The principles of political economy might serve as beacons to enable us to direct our course; but as, in mechanics allowance must be made for friction and resistance, so in legislation reference must be had to the actual situation of affairs. As he understood the right hon. gentleman's proposition, it was of a ministerial nature, having for its object only to render perfect the execution of the act of 1815, and to this he was ready to give his support. If any improvements could be made in the mode of taking the averages he would wish that they might be made; those improvements were due to the public, but beyond that he thought it would be trifling with the agricultural interests to hold out any expectation.

Mr. *Bankes* apprehended, that the hon. gentleman who spoke last had assumed too much when he stated to the House that there was but one remedy for the distress under which the agriculturists laboured. He (Mr. Bankes) approached the subject with great hesitation and doubt, but not without hope that some benefit might result from inquiry—that some relief to the agricultural interest might be found practicable, without injury to any other. Unquestionably that interest was intimately blended with the commercial and manufacturing, and the last twenty years had furnished various examples that the difficulties of one were sure to extend themselves to all. As to what had been said with regard to this being a time for speaking out, he feared that more indiscretion than sound sense had been manifested by an adherence to this principle. He believed the result of inquiry would be to alter some opinions which had been expressed in rather an unqualified manner on both sides. If he should be on the committee, he should go into it without any fixed or determinate opinions, but with a hope of receiving very important information, and of being able to render effectual that protection which parliament had intended to afford to agriculture. Beyond that he was not disposed to take one single pace, but it could not be disguised that the protection to which he alluded was at present ineffectual and nugatory. Whether the committee were so instructed or not, doubtless they would look at the practical machinery of the law. He recollected, that when this subject was last under discussion, a meeting took place at lord Liverpool's house, and the point adverted to was the mode of taking averages. A wish was expressed that they should be put on some better footing, to which it was replied that the matter had been long under consideration, but that no improvement had been suggested. The incorrectness of the averages was generally admitted, but it was remarked that an error in one district might be balanced by an error in a second; and somehow or other the whole meeting acquiesced in a continuance of this slovenly system. It was difficult to conceive what objection there could be to the elucidation of a criterion, or to the establishment of securities against fraud and combination. The appointment of a committee was desirable, if for no other purpose. The evil complained of was, that the average prices in the Gazette returns did not fairly represent the state of the market. This then ought to be a preliminary subject of investigation; but the whole business of a committee, appointed as this had been, ought not to be confined to it. If the committee failed in devising a better system of taking averages, were their eyes to be shut, and were they to be restrained from taking an extended and general view of the whole question? The first thing for the committee to consider would be the manner in which the present law was executed, and to suggest a correction of any deficiencies that might be detected. The second object would be to inquire what farther remedy could be applied to the existing distress of the agriculturists, provided the correction of any defects in the administration of the present Corn laws was not sufficient. To restrain the committee from any inquiry into the latter object would be to render its appointment of less importance than the hon. mover or those who supported him last night, anticipated. That the present law was defective would appear to every one who considered the mode in which the averages were struck. It appeared by the statement of an hon. member that two bushels of wheat sold in a county of North Wales weighed as much in these averages as above 1,000 quarters in one of our agricultural counties. The question before the House was whether the committee should have that scope for their investigation which was contemplated by the majority who supported the motion of last night, or whether its powers ought to be so restricted as to defeat and get rid of that vote. An unreasonable degree of alarm was likely to be excited by the speeches of the members who opposed the appointment of a committee; and though he would not impute wrong motives to them, he could not help animadverting on the language which they employed. In agreeing to execute the law of 1815 in the spirit in which it was enacted, no rational apprehension ought to be excited among the other classes of the community, while the agricultural class would receive only that protection to which it was entitled. The agricultural interest bore a greater share of the burthens of the country than other interests, and had a right at least to equal protection. They could not enjoy prosperity without extending it to the other classes. But if the complaints which they made were just, and if the committee did not make the extensive inquiry required, so as to carry into complete effect the law of 1815, the agriculturists would be held out as a marked class, to whom the legislature offered an ostensible protection which was entirely defeated by the defective nature of the measure by which it was to be carried into effect. It would be trifling with the feelings of the respectable majority who supported the motion last night to turn round upon the committee and give it instructions which would narrow its inquiries to matters of comparatively little importance.

Lord *Castlereagh* said, he was anxious to rise after his hon. friend. His hon. friend, by taking the narrow ground, had placed the true practical question in a clear and able manner before the House. It was natural, on a question like the present, where the interests of so many persons were involved, that a strong degree of feeling should exist to travel into the important and extended views of general policy; but if he could fix the attention of the House on the true point at issue, the House would then judge for itself, and by confining its attention to the real object of discussion, it would apply general principles to that point, and form a decision on the important question before it with greater ease and with greater certainty than by entertaining the various views presented by hon. gentlemen. On a point less intimately connected with the tranquillity of the people, and involving less their highest interests, he would have been disposed to enter more readily into the feelings of his hon. friend, and allow that the mode in which the vote of last night was given should be interpreted into an agreement with the views of those who now supported the motion. As it was, however, he did not hesitate to say, that the vote of last night, considering too the manner in which that vote had been given on a previous question, did not conclude the question; that vote, however, established this conclusion, that a committee should be appointed to inquire into the state of the agricultural concerns of the country, and that committee was appointed without limitation of their powers. He was by no means disposed to deny to the agriculturists every fair opportunity of stating their claims. Looking at the interests of this great country, the interests of the commercial and the agricultural class should be held as inseparable—should be connected in one system of general prosperity or of general decline. There was no class in the country which he was inclined to treat with more deference—for whom he entertained a greater respect—than he did for those who pressed forward the consideration of this subject;—he meant not merely the landlords and proprietors, but also the great body of the tenantry of the country, whose interests were so closely connected with the proprietors, and who with them must either stand or fall. To the committee proposed by his hon. friend he could have no objection—as far as the general character of that committee went he could have no hesitation to deliberate with them—but that committee and the House must feel the perilous situation in which they stood with respect to this question before the country. He was convinced that they were bound to speak out their opinions, and to pursue a straight-forward, open, and manly course. They should not create hopes where there were no prospects whatever of realizing them. This was his feeling, and he submitted to the House that the agitation of this subject was likely to call up those hopes, and to create a misconception in the country, which would operate to the great prejudice of the public interests. If such effects were likely to attend the agitation of that question at that moment, it was their duty to consider the probable results which the committee would come to. He entered fully into the general feeling, that it was the duty of the House, when complaints were made by a great and respectable body of the people, to look into the nature of those complaints, and if any indulgence could be afforded, if any rational hope existed of applying a remedy, it was their duty to apply it. But the distress of the agriculturists was not the only question at issue—great and general distress prevailed in the country; they might differ as to the nature of that distress, they could not settle in their own minds the nature, the causes, and the extent of that distress, but of the existence of the distress itself there could unfortunately be no difference of opinion; the agricultural interests shared in that distress, and the question was as to the nature of the remedy to be applied, if indeed any remedy could be applied; always recollecting that the distress was not confined to that class, but that it was shared with many others.—Having assumed the fact as to the existence of the distress, the question was as to the remedy to be applied. Was there any additional protection to be given exceeding the protection of 1815, or were they to look at the regulations of the Corn law with a view to execute the intentions of parliament on that subject? It was material that they should come to a clear understanding on this head; if they did not understand each other in the first important step they took, they might move in a circle without coming to any explanation, and remain at cross purposes with each other. It was material to settle this point, and he thought that the hon. member for Sussex, who moved the amendment before the House, put this point directly at issue. He would read the amendment of the hon. member to the House in order, so that the House might see whether it was calculated to arrive at a sound and fair exposition of the regulations of 1815. The amendment was, "that instructions be given to the committee to inquire whether the present mode of taking averages, in order to ascertain the market price of grain throughout the kingdom, was effectual, or whether a better mode might not be adopted?" The hon. member had assumed, that the object of the law was, to apply the price of eighty shillings as a scale of protection. If the hon. member was correct in his exposition of the law of 1815, he would willingly vote for his amendment, and he would separate that amendment from the motion of his right hon. friend, the president of the Board of Trade. He joined with the hon. member in an anxious wish to detect every fraud, and to adopt every measure that might ameliorate the condition of the agriculturist. He repeated, if he thought the hon. member right in his view, it would decide his vote, and he might venture to answer for his right hon. friend, that he would withdraw his instructions to the committee. But he did not at all agree in the view of the hon. member: he must altogether deny, that the basis of the act of 1815 was such as that hon. member conceived; on the contrary, that act was founded on a principle long established by the preceding laws. The basis of the act of 1815 was founded on this principle, that the averages should be taken from the prices in the 12 maritime districts of the country. It had been argued, that the result of the averages was this—that there was a difference of six shillings, if not of eight shillings, between the average prices in the maritime districts, and the average prices throughout the whole country. It was further understood, that the difference between the scale of averages formed in the twelve maritime districts, and that formed from the price of grain in all the markets of the kingdom was 6*s.*; and that, when the former would give 80*s.*, the latter would give only 74*s.* Now, had the averages not been to be struck in the maritime districts, but been to be taken from the markets of the whole kingdom, those who in 1815 voted for the protecting price of 80*s.* would have supported that of 74*s.* Let not the House then be deceived. There were two ways of raising the protecting price on imported grain; namely, either by increasing the scale of prices at which it might be imported, or by altering the mode of striking the averages, by which the importation price was settled. The average of the whole country of England would be very different from that of the maritime districts; it would still be more varied by including Wales, Scotland, and Ireland. The law of 1815 was framed with no reference to this extensive range of averages, but was founded on the base of that of the maritime districts only. The regulations of 1815 were founded on facts, perfectly well understood — they were founded on the broad practical result of the averages in the maritime districts distinct from the averages of the whole United Kingdom. The reason, therefore, why he resisted the more extensive inquiry, which, though it might not lead to the adoption of this average, might yet make it the subject of investigation, was, that it would be a mode of again agitating that mighty question, the Corn laws, which, from the effect it would produce on the public mind, ought not to be discussed uselessly or lightly. The House should not excite discussion and agitation in the country by appointing committees and entertaining inquiries when no good could be done, and at a moment when the people were in a state of suffering—when their feelings were agitated and discontent excited.—No man was more ready than himself to meet and to oppose the popular menace directed to control the proceedings of that House; but at the same time he felt that there was a mighty responsibility indeed attached to those who would fruitlessly agitate a question so likely to promote discontent amongst the people—so unlikely to afford relief to the petitioners. But if, at the same time, the House did think that the public interests would be promoted by giving a still greater protection to the agriculturist than was given by the act of 1815, let them not disguise their object; but meet the question as the parliament met it in 1815; then the parliament felt and said that the public interests called for the measure; he supported that measure because he was impressed with the necessity and policy of it—the necessity for the measure at that time was as great as the arguments in favour of any alteration now appeared to him to be weak and untenable. He could not but consider that the time selected by the petitioners was very unfavourable to their claims.—All the ports were now shut against foreign grain. The agriculturists had, in fact, possession of a complete monopoly of the corn trade, and they had had that monopoly for the last 18 months; they could not therefore complain that they suffered from foreign competition, or that they required additional protection against the foreign grower. This, therefore, was an inauspicious moment to agitate unnecessarily this very sensitive question—the whole practical argument was against them. In 1815 he supported the corn bill, and every consideration he had afterwards given to that measure, convinced him of its necessity. Had the House not protected the agricultural interests at that period, their distress would have been excessive; but it would not have been confined to them, the manufacturer would have had his full share of suffering and endurance; and he firmly believed that had that bill been passed one year sooner than it was, much of the distress of the country would have been prevented. At that period the agriculturists put their case in a strong position—they showed the causes of their distress—they showed the country the necessity and the justice of the measure; but how different was the case now? Would they, when every argument lay on the other side, and every fact told against them, would they argue this irritating question upon mere speculative grounds, upon mere apprehensions of some future contingent evil? Surely common prudence would suggest that every topic of discontent ought to be avoided at a moment when general distress pressed upon every class of society—when one class was vainly complaining of another; vainly imputing to others the cause of that public distress which pressed upon all with a universal pressure, which came from the hand of Providence—which no member could answer—which no measures of wisdom or of foresight could prevent. He could not help observing, that there appeared a great laxity in the reasoning of those who wished for additional protection. They called for that protection at a moment when the farmer had a monopoly—had the home market to himself, without the intervention of foreign grain. To that course he entirely objected. But if the House should take the course now recommended by his right hon. friend, and examine if the law passed for the protection of the agriculturist was abused in its administration, that consideration would indeed present a large field for discussion, into which he would have no objection to enter. The hon. member for Norfolk had stated direct cases of fraud, and justly argued the necessity of putting an end to those frauds. He agreed entirely with the hon. member. If the law was so defective as to admit of frauds in its execution, it ought to be corrected; and even though those frauds were imaginary, the real sufferings of the agriculturists were so great, that they ought to be relieved from even groundless anxiety. The public would have no objection to a measure of pure regulation. If the ground which parliament would take were made intelligible, they might proceed without danger—the country would understand the alterations they might contemplate, and would go with them; but if, under colour of interfering with the averages, they should seek for an alteration in the scale of protection, they would agitate the country to its centre. His reason for not wishing for the proposed inquiry was, that he could not see his way. He did not look on this agitated period the best time for raising so irritating a question. If the broad inquiry were permitted, there would be discussion out of doors; there would be applications to the House; constitutional, he trusted; there would be general anxiety and alarm, which would in themselves be an evil. If it were necessary for the public good that such a measure should be carried, he would be willing to encounter any degree of danger or odium; but why agitate the public mind without object or advantage? It was not intended to propose a reduction of price. The public would, therefore, during the six weeks which the committee sat, if the range of their inquiry was not limited, be always in fear of a report proposing an augmentation. He would object to a mode of striking the averages, by which six shillings would be added to every quarter. He was decidedly adverse to any proposition of that kind. The country would not endure it—policy could not recommend it. He saw in the speech of the hon. and learned gentleman opposite, so many qualifications, so much caution, that he could not for a moment think that he had any notion of recommending any extension of protection. He would now suppose that the committee had commenced its labour—so far as to take the general question of average under consideration, what would be the result? After sitting for six weeks or two months, they would perhaps bring forward a report recommending an attack on the Corn laws. But he did not think that the committee would recommend any measure to increase the protection of 80 shillings; he had too high an opinion of their prudence—they were too wise to recommend to the House a measure that would only have the effect of rendering the situation of the country still worse. He looked upon the agitation of this question at this time to be a great public calamity, and he would intreat his honourable friend to pause, and to consider well its consequences. He knew that his hon. friend, though connected with the landed interests, had too liberal a mind not to see that the interest of all was the interest of each, and he would not hazard a step which would raise the discussion of the whole question. He would rather meet the question openly, than under the cover of the question of averages, and he hoped the House would feel that it was the wisest course to meet the question of abuse. The act of 1815, did not apply to the averages taken from the whole kingdom, but from the maritime districts, so that those who voted for the 80 shillings then, must have voted for 72*s.* or 74*s.* had the averages been taken from the whole country, and if Scotland, and especially if Ireland had been included, they must have advanced to 85*s.* or perhaps upwards. If they opened other questions, he could see nothing specific which it would be in their power to do; for it was quite impossible for him, holding the opinion which he entertained, to take up the measure in the way the hon. member for Surrey recommended. The proposition of his right hon. friend was kept within proper limits, while the amendments went to alter the average altogether, and to destroy entirely the existing scale. The former might be useful; the latter was a critical, if not a dangerous experiment, and would be the means of bringing forward the pretensions of the agriculturists under the worst aspect. The present system had worked favourably. He did not mean to say that it had worked favourably at all times, and had been found completely adequate to the wants of the country; but for five years, it had produced, within a fraction of the average price, what, in the year 1815 was considered a fair remuneration. It had also worked well in another point of view; because, under it, the raising of corn had arrived at such a height as gave them a hope, independent of the casualties of seasons, that sufficient could be grown for their own consumption. The agriculture of the country, was, at least in amount, very extensive; and he would ask whether it could be thriving in amount, and at the same time losing in general profit? That was impossible. Farming capital certainly might be wasted and improperly laid out; and thus the profit might not bear a due proportion to the amount of capital expended. Whether that was so or not could only be shown by considering what was produced within the country, and what was procured from without. Here it appeared that there was no want of supply from within. For 18 months the ports had been shut, and it should be recollected that the two last harvests, though not calamitous, could not be deemed good ones. He did not mean to say that great distress did not exist, or that averages might not have been struck at particular periods since the corn law was passed that were not favourable. But taking the whole of the period since it passed, the circumstances proved any thing but the inefficacy of that law. There was no moment in which the agricultural interest had less reason to call for an alteration of the law than at present, and with the utmost respect for that interest, he must vote for the motion of his right hon. friend, as the only one that could be entertained either with advantage or safety to the country.

Mr. *Sumner* said, the noble lord had accused him of imprudence, because he brought forward this motion, when the times were in so ticklish a state, and the public mind was likely to be agitated by it. The noble lord appeared, however, to have forgotten the disturbed state of the agricultural mind, although he had considered the feelings by which all other parties were agitated. It was that agitation of mind which caused such a number of petitions to be laid on their table—petitions from that class of people who formed the great source of our wealth, and who were, therefore, the first in importance. He did not mean to speak invidiously of the other classes. He looked on agriculture, manufactures, and commerce, to be the first pillars of the state. But, considering agriculture as the foundation, they ought, whenever any part of the edifice seemed to be out of order, to examine whether the defect did not arise from some deterioration of the basis. Allusion had been made to the bill of 1815, and to the alarm and terror that were then excited. He, however, felt more determined to proceed, when he saw an attempt made to create alarm. Neither the threats that had been thrown out on that side of the House, nor the sounding of the tocsin of alarm by gentlemen opposite should prevent him from doing his duty. The noble lord had said, that if the measure of 1815 had been adopted sooner, many of the evils since experienced would have been avoided. He (Mr. Sumner) would say, that if they declined inquiry now upon the principle which he recommended, their situation must in all probability, become worse instead of better. With respect to the bill of 1815, he begged to call the attention of the House to the report on which it was founded. For this purpose one extract would be sufficient. The report set forth, "Your committee report to you that it is the concurrent opinion of most of the witnesses that 80*s.* is the lowest price per quarter that will afford the grower of corn a fair remuneration." But other individuals of equally high character mentioned in the report declared that 80*s.* would not afford a sufficient remuneration to the grower. On this report, however, the bill was founded; and, when the legislature intended to grant a protection of 80*s.* they in fact gave the grower only 74*s.* It was, therefore, a fair subject of inquiry, whether the act in question did make sufficient provision for carrying into effect the undoubted intention of the legislature. He should not go into the committee with the intention of proposing any measure to increase the protecting price, but neither did he mean to exclude himself from concurring in such a measure if it should be proposed through the medium of the averages. He could have wished that this great cause had rested on other shoulders than his own, but as to the restrictive motion of the right hon. gentleman, he thought it held out a deceptive view to the agricultural interests under a form in which nothing could be realised for their advantage, and should therefore oppose it.

Mr. *Calcraft* said, as the hon. gentleman who had just sat down had thought fit to remind the House of the basis formerly adopted when this subject was under discussion, he would take the liberty of reading an extract from the Journals of the House, to show the hon. gentleman what was the real foundation on which the law of 1815 proceeded. It happened that he took a more active part on that question than he was usually in the habit of doing, and therefore he might be presumed to know something of the matter. He had differed from the majority of the House on that occasion. But the bill passed into a law, and he had no wish to meddle with it, because he believed it had operated rather beneficially for the country. The hon. gentleman observed, that neither the menaces of the noble lord, nor the tocsin of alarm which was sounded on that (the opposition) side of the House, should deter him from proceeding. He (Mr. Calcraft) had heard no menaces, and, as far as he was concerned, no tocsins of alarm had been sounded. The hon. member conceived that he was taking the proper line of his duty, and he hoped he would do him (Mr. Calcraft) the credit to believe, that he also was pursuing that which he conceived to be his duty; and a most painful duty it was, which seemed to place him in opposition to those with whom his interests were so strongly bound up; because, if there were any one body to whom he was more attached than to another, it was the agricultural interest. He however approved of no restrictions, but such as were imposed for the benefit of the community at large; and when they conceded protective restrictions to manufactures, or to commerce, it was not with a view merely to the persons connected with those branches, but for the service of the whole country. They ought now to see whether the course they were called on to take was calculated to be of general benefit. By referring to the Journals of the 27th of February 1815, the condition on which the protecting price of 80*s.* was inserted in the act, would be at once seen: the entry was this, "Resolved, that the average price of the several sorts of British corn, by which the importation of foreign corn, meal, or flour, into the United Kingdom is to be regulated and governed is to be continued to be made up and governed in the manner now required according to law." This was the basis on which the act of 1815 was founded; it was on this condition that the restriction was conceded; and as the noble lord had stated, if it had been thought necessary to go to the other mode of taking the averages, which would have made a difference of 6*s*. or 8*s*., it would at that time, have caused a diminished scale. Now, notwithstanding what the hon. gentleman had said, he would ask the House whether what he had advanced was not an appeal for a higher protecting duty? He would put it to every gentleman who considered the subject, whether the effect of meddling with the average, as prescribed by the act of 1815, could be any other but that of adding to the price of this commodity? Did the situation of the agriculturists themselves require a higher price? When for 18 months past, they had a monopoly of this article, for which they received 78*s*. 6*d*. per quarter, being within 1*s*. 6*d*. of the protecting duty established in 1815, was it reasonable to ask for any addition to that protecting duty? The hon. gentleman had stated the average for five years, in which he had included the year 1815, which was in truth before the passing of the bill. By so doing he considerably reduced the average. If he had taken the 4 years since the passing of the act, the result would have been very different, for in 2 of those years, 1817 and 1818, the grower received an average price of upwards of 80*s*. for his commodity. He had some time since presented a petition, the parties to which called for inquiry, and he could say, if the question was not argued as it had been, that he also would have approved of investigation. But he could not countenance any attempt to raise the protecting price, which was the present object. He had advised individuals, when consulted on this subject, not to agitate the question, because he believed that the distress of the agriculturist arose more from the general distress of the country than from any peculiarity in his situation. His sincere opinion was, that if the general situation of the kingdom was amended, the agriculturists would immediately find their own situation considerably improved. Many very invidious observations had been directed aginst those who were setting themselves up in opposition to what was called the primary interest of this country, and he was surprised at what had last night fallen from his hon. and learned friend, whom he did not see in his place, who appeared so anxious and so zealous for inquiry into the distress of the agriculturists. His hon. and learned friend, a few days ago, if his recollection served him, when a petition was presented from the manufacturers of Birmingham, for whose interests he appeared to feel very deeply, declared, that in his opinion no inquiry should be instituted, that he thought it ill-advised, and that if any relief were to be expected, it must come from the executive government, and not from a committee of inquiry in that House. It was indeed extraordinary, that his hon. and learned friend should have called for inquiry, on the part of those who demanded increased protecting prices, when a few days before he objected to a similar inquiry which was requested by other petitioners. He agreed in many things however, which his hon. and learned friend had said in favour of the agricultural interest; and if means could be found to spread the poor-rates more equally over the country, it would be of great advantage, and at the same time would be strictly just to those whose petitions they were now considering. The hon. member for Southwark had called on the House to look at the large body of people who had approached them with petitions couched in respectful language, and had argued that it was quite impossible to refuse inquiry into their grievances. But that observation lost much of its weight when they recollected how those petitions were canvassed for. They had been sent to different parts of the country, and persons being told that it would be beneficial to them if they signed such petitions, affixed their names to them without farther consideration. But he knew that a very large body of agriculturists, yeomen, and farmers of all sorts, thought this was not the time to approach the House with petitions of such a nature. It was also remarkable, that these petitions were not introduced by that display of arrears of rent, want of markets, executions, and various other symptoms of distress which distinguished the speech of an hon. friend of his in 1815. He was glad of it, for he was sure that the farmers did not now suffer what they endured at that period, and he believed the most reasonable part of them were satisfied with their situation, and not anxious to press their claims at the present moment. With respect to the proposition of the right hon. gentleman, he would adopt it as a choice of evils: he regretted, however, that they were beaten on the vote last night, because much of anxiety, of alarm, and of false expectation, would have been saved, if that question had been differently determined. The proposition of the hon. member for Sussex went to disturb that law under which agriculture had flourished, while that of the right hon. gentleman was as limited and reasonable as the nature of the case would admit, and therefore it should receive his support.

Mr. *Brougham* observed, that he was unwilling to intrude himself on the patience and attention of the House, when he knew that the natural desire of gentlemen was, to conclude this discussion as soon as possible. After having stated his opinion perhaps at too great length on the preceding night, on the general merits of this question, it would not be necessary for him to enter minutely into the subject on this occasion. But they were now placed in a most peculiar situation, in consequence of the conduct adopted by his majesty's ministers, and he was bound to state the grounds on which his vote should be given. He felt almost precluded from entering into the merits of the question, even if he had more to answer than was advanced this night, for how did they find themselves placed with regard to those proceedings? A notice was solemnly given—a proper length of time was allowed to elapse—an opportunity was afforded by the hon. mover, for all gentlemen to consider the subject so that they might speak their sentiments deliberately and fully. He brought forward his proposition, and, after a debate—by no means a short one, and not confined to one branch of the question, but in the course of which every branch connected with it was presented to the House—at the mature hour of between three and four in the morning the House felt itself ripe for a division; and on what point? The question was this—whether or not they should refer the petitions to a select committee, who were to report their opinions to that House? On what were they now to be instructed to report? On something different from the contents of the petitions; on something not contemplated by the petitioners; on something not to be found in any one of those petitions. He had read the petitions down to the 26th day of May, which was the last he had printed before him. The petitions were numerous; they were various in their views, and different in their plans; but the one thing omitted in them all was this question of averages, which it appeared was the only point which his majesty's ministers would consider. There was one thing, which, he presumed, was agreed upon between both sides of the House—that they were bound to consider these petitions. And he would ask the right hon. gentleman whether his motion (and in fact the right hon. gentleman's motion was only an amendment upon the debate which had been settled last night, and which he thought, therefore, a most extraordinary and unjustifiable proceeding)—he would ask him, whether it was not to worse than insult the petitioners, not to consider the subject which they prayed the House to inquire into; not to investigate the subject matter of the great majority of those petitions, but to enter, in point of fact, upon the prayer of one almost unconnected with them—one single petition from Carlow, in Ireland, about the averages of corn! This was the only one not entitled to be considered under that committee which the sense of the House had last night considered expedient to be appointed, and yet it was with this favoured petition alone that they were to deal. He besought the House, if it set the least value upon the prayers of the petitioners—if it had the least regard left for its own dignity, for the consistency and the seemliness of its own proceedings—if it would remember its own character, and the character of the country—to consider well what the noble lord asked of it. And here he would entreat the attention of the noble lord himself, for he really seemed to have forgotten what had happened. The noble lord had said, "Oh, really, I am quite surprised that we should have been beaten last night!" Whether the noble lord had been beaten because he had abstained from stating his argument last night, or whether it was because he had made no formidable preparations for a subject upon which he might have supposed there would be no argument offered, certainly the noble lord was quite surprised. But the noble lord had explained what was the cause of so unexpected a defeat; if he had known of the discussions being of such a nature, he could have told this and that hon. member, and they would have come, and they would have voted, and the result would have been very different. Nay, the noble lord was asked by several of his friends how the debate was likely to go; and, as he thought that there was little or no likelihood of a discussion, he had given them a little hint, or so, that their attendance would not be necessary; and therefore it was that the division had gone against the noble lord. Finding, however, that it was just possible there might be another debate upon the same topic—finding that he himself, not having taken the trouble of bringing forward one single argument why the petitions should go to a committee, the House had determined that a committee should be appointed—surely the noble lord had no right to complain that his no-argument had had no effect. But he (Mr. Brougham) would now call upon the hon. member for Bristol to open his eyes and ears, if he would. The hon. gentleman could hardly repress his astonishment. "Good God!" said he, "is it thus that committees of this House are appointed? Is this the way in which committees are struck, so as to go into action? Are they merely to report the number of inquiries they have made, and then to ask leave to sit again?" Now, from the bare possibility of its not standing stock-still, it would seem, the hon. member for Bristol had added, "I will take care how I enter upon a committee." The hon. member having gone through one lesson of parliamentary tactics, might learn to-night another lesson from the noble lord; and he (Mr. Brougham) would call his attention to it; he would endeavour to teach him this new mystery, although he could not do so with all that lavishness of instruction which the noble lord, with whom he seemed to be agreed upon this occasion, would have imparted to him. The hon. member would find, that after one night's debate and decision against him, the potent magician next night would wave his enchanted wand, or what the hon. member would hear more technically termed a whip; and then, wonderful to behold,

"Apparent diræ facies, inimicaque Trojæ
"Numina magna——"

At that magic impulse he would see hastening into the House learned judges, who, not having heard an argument, came, not to listen, but to vote—not to canvass, but to reverse what had been maturely decided; and who, not having been present during the debate, arrived just in time for the division. But he (Mr. Brougham) appealed to those hon. gentlemen who were so much alarmed about alarms; to those whose terrors terrified the land; whose fears were excited at one time about the price of bread, at another time about the price of bullion, and at another about the law of the land, as established—ever since 1815; at one time about this thing, at another about that—he appealed to them on the present occasion. He called on them just to apply a little of their alarm to this subject; and he would ask them whether there were not just as solid grounds for that alarm about the effects which might follow the rejection of these petitions; for the course proposed would be to reject them. He looked at the value of those hon. members votes first, and then at the value of their authority; and he called upon them to consider whether no inconvenience was to be apprehended from such a course of proceeding. What! was the agricultural interest not likely to understand what had been done? Was the result of the debate last night no vote of the House? Right or wrong, he considered that by that vote they had pledged themselves. Ministers found themselves in a minority where they had calculated upon a certain majority; and they, therefore, were now endeavouring to get rid of the result of a solemn debate by a sort of side-wind, by an unfair manœuvre, by a something which out of that House, he would designate by a single syllable. Would it not be the ready way to drive the agricultural classes to absolute despair by first extending to them the cup of relief, and then dashing it down, untasted, from their lips? He called upon those hon. gentlemen to consider whether here was no ground for alarm. He trusted that because a population of crowded artisans were apt to be more decided in their complaints, and more rapid in their movements, the House would not on that account neglect the claims of a hardy, patient, bold, and manly peasantry. It was, unfortunately, too much the fashion to cry up the distresses and the forbearance of the artisans alone, forgetting the claims of the more scattered, and no less meritorious, peasantry—to fear the resentments of the one, because they were a more organized and more collected community than the other, who were more thinly spread over a larger surface. Unless their feelings were to be falsified, and themselves to be lessened in the eyes of the country, he thought that hon. gentlemen ought to consider what had occurred last night as a solemn discussion of the merits of a question, which was now sought to be got rid of without one tittle of argument beyond what had been endeavoured to be then sustained. He was satisfied with the vote he had given last night, and he doubted not that no hon. member wished to retract his; but he thought that even the common forms of the House would not allow them to do so. The question had last night been solemnly decided in favour of an inquiry; not one argument had been used against inquiry, which had not, in the opinion of the House, been fully answered; and if it had not been for mere accident, that the gallant general, who was not then present, had moved the adjournment, by which the hon. member for Coventry was prevented from withdrawing the previous question; were it not that the gallant general, who had not that evening been able to get a seconder, made a motion yesterday evening, which, by the rules of the House, could be made at any time by any member, without a seconder; if the House had then been, as it was now, in the dark shade of the gallant general's absence, the amendment which was now proposed would have been put, and no doubt carried, and the whole matter would have been decided in form, as he contended it had been in substance.—The question, last night, was, as between the hon. member for Surrey, and the right hon. president of the board of trade; and by carrying the motion of the one, the House had, in truth, negatived this amendment of the other. Again, he asked, if it was fair to expect that the agricultural interest would be at all satisfied with this mode of treatment? He did not wish to create or raise up any unpleasant feelings in any quarter; but there was too much reason to fear that they would exist. Was it to be imagined that these parties could be satisfied with this sudden alteration, if it stood upon no better grounds than a point of form which had been moved by an hon. friend of his through mistake, in some measure; a matter which was half chance, and half an airy, evanescent distinction, upon which not one man among millions could comprehend how the House could be induced to retract the boon which they themselves had last night offered? He felt it utterly impossible to consent to such a proposition, and many who had voted against the motion of the last night, would he had no doubt now feel it to be their duty to abide by the resolutions of the House. As to the opinions which he had given on the general question, they were not lightly adopted on the critical circumstances of the moment. He appealed to those who had witnessed his conduct in parliament, whether, during the last five years, he had not expressed the same opinions in nearly the same words, though he now acknowledged that the circumstances of the times were such as to warrant those who had formerly been of a different opinion, in taking another view of the question.

Mr. *Robinson* said, that of all the extraordinary instances of forgetfulness that he had ever witnessed was that displayed in the speech of the hon. and learned gentleman. He appealed to the House whether the hon. and learned gentleman had not expressed his regret last night that the forms of the House did not allow an amendment to be put, which was the same as the motion which he (Mr. R.) had that night proposed. The amendment had been read by his hon. colleague, the member for Ripon, in the very terms in which the motion was now put, and it was stated distinctly by the hon. and learned gentleman, that he lamented that the motion of the hon. member for Coventry precluded that amendment from being put [No, no! from Mr. Brougham]. What then was it that the hon. and learned gentleman did regret? It was plain he wished the motion to be narrowed in some way; but if he thought fit to narrow it, were other members to be bound to do so precisely in the same manner as the hon. gentleman? With what fairness could the hon. and learned gentleman apply the word 'trick,' for that, no doubt, was the word hinted at, to any such proposition? He hoped he should be incapable of any such miserable trick, as to attempt, by any indirect means, to get rid of what the House had decided upon.

Mr. *Brougham* explained, that he had last night copied what he understood to be the substance of the amendment of the hon. member for Ripon (Mr. Gipps), and had given it to the hon. member for Sussex, to whom he appealed, whether such had not been his understanding at the time.

Mr. *Gipps* said, that the amendment which he had last night moved, was, at the beginning, in words the same as the motion made by the president of the board of trade that evening; in the latter part the motion was more limited than his amendment had been. The support of the hon. and learned gentleman had encouraged him to offer his amendment, which, on account of the forms of the House, had not been put into the hands of the Speaker.

Mr. *W. Burrell* confirmed the statement of Mr. Brougham.

Mr. *Huskisson* said, he could retort on the hon. and learned gentleman the charge he had made on others of neglecting the debate; for he contended, that the amendment proposed, but not put, last night, and the motion now before the House, were in substance the same. It was quite usual for the House to restrict committees by instructions.

Mr. *Brougham* explained, that he had consented last night that some limitation should be made to the motion. What he understood that limitation to be, he had stated to the hon. member for Sussex, by whom it had been put as the amendment now before the House.

Mr. *Tierney* stated, that as he intended to vote for the proposition of the right hon. gentleman, and as his learned friend had imputed to that right hon. gentleman an attempt to play off a trick on the House, he was anxious to exculpate himself from being party to any trick, or from voting for the proposition on any such grounds. He could not but consider the debate of to-night as a continuation of that of the night before, and that the proposition now made had only not been made on the preceding evening, because the debate had been prolonged to too late an hour. He indeed understood the question of adjournment to be moved entirely with a view of giving an opportunity for the introduction of this proposition, which the forms of the House had then excluded from discussion. He was ready to admit, that if this proposition had been deferred until after the committee had sat some time, it would be open to the objections which had been made to it by his learned friend; but having been brought forward as a part of the preceding debate, as the condition under which the committee had been acceded to, he saw nothing in the course now pursued that was not consistent with the usual and fair parliamentary practice. With respect to the interests of the agriculturists, he could only say, that he had never heard of that degree of distress which had been pleaded in their behalf—that he had not heard of rents unpaid, or executions, or other symptoms of distress in an aggravated degree, nor did he believe them to exist. His great motive, however, for supporting the right hon. gentleman's proposition was, that the rejection of it would not benefit the lower classes of the agriculturists. It could not affect the labourer or ploughman, though it might operate, he did not deny, to the benefit of the landlord and some farmers; while, on the other hand, the increase of the price of bread would at once affect all the other classes of the community, and lead to distress, dissatisfaction, and tumult, even beyond what the House had found to exist in other times when such objects had been in agitation.

The question being put, "That the words proposed to be left out stand part of the question," the House divided: Ayes, 251; Noes, 108. The main question was then put and agreed to.

HOUSE OF LORDS.

Thursday, June 1.

SMALL DEBTS RECOVERY BILL.] Lord *Redesdale* rose to introduce a bill for the recovery of small debts. In the last parliament a great number of petitions had been presented on this subject, and it was generally expected that some measure would be founded upon them. This expectation, he thought, ought to be realized as soon as possible. A good many years ago it had occurred to him to introduce a bill for the purpose of facilitating the recovery of small debts; but, from certain circumstances, no progress was then made in the measure. In framing the bill he was about to submit to their lordships, he had considered it advantageous that the persons performing the duties of judges and juries should not be confounded; that the juries should be of a limited number; and that the process of recovery should be plain and simple, and accompanied with as little expense as possible. The sum recoverable at present in the county courts did not exceed 40*s*., and this he proposed to extend considerably. The judge might be appointed in the same way as the clerk of the county court, and approved by the chancellor, or two of the judges in Westminster-hall. But what struck him as most important was, that the duties of the judge and jurors should be completely separated, and that there should be no opportunity for the persons being at the same time suitors, judges, and jurors. The principle on which he wished to constitute the courts was, therefore, different from that of the Middlesex county court. After a good deal of consideration, he had new-modelled the bill he formerly brought in, and the qualifications he now proposed for the jurymen was, that they should be freeholders of *5l.* a-year, copyholders of 10*l.*, or copyholders and freeholders together of 10*l.*; or, if their lordships thought fit, also leaseholders renting to the amount of *50l.* a-year, who were frequently more respectable persons than freeholders or copyholders of small amount. With respect to the number of jurors, he would propose that four should be a quorum. The difference of counties in extent and population would render it difficult to make at first all the provisions in the bill which might be thought necessary, and much might properly be left respecting the periods and places for the sittings of the court to the local authorities. He proposed to extend the jurisdiction of the county courts to the recovery of 10*l.*, and to limit the proceedings and reduce the fees as low as possible. He had selected the provisions he had introduced from different acts of parliament, and particularly from that for regulating the county-court for Middlesex. In offering the bill, he rather wished to throw it on the table for their lordships consideration, than with any desire that it should be at present passed into a law, so far as that House was capable of passing it. But, in the mean time, it might have the effect of calling the attention of their lordships and the country to the establishment of courts for the recovery of small debts in every part of the kingdom, and to the means of assimilating these courts as much as possible to the courts in Westminster-hall, particularly with regard to the keeping separate the functions of judges and juries. On these grounds he would now move the first reading of a bill for the more convenient recovery of small debts in England and Wales. If their lordships agreed to this motion, he should then move the printing of the bill, and there he would rest the proceeding for the present. Their lordships would have time to consider the provisions, and to form an opinion as to how far it was practicable to accomplish the purpose of the bill, by establishing courts in the different counties of the kingdom. The number of the jury being reduced to four, and copyholders and leaseholders being qualified as well as freeholders, would render the burthen of attendance on the courts very light. By giving the justices at the quarter-sessions the power of appointing the time and place for the sitting of the court, the difficulty which might arise in consequence of jurymen being called from distant parts of the country would be obviated.

The bill was read a first time.

HOUSE OF COMMONS.

Thursday, June 1.

MANUFACTURING DISTRESS — PETITION FROM PAISLEY.] Mr. *Maxwell* rose to present a petition from the distressed mechanics of the town of Paisley, who prayed the House to afford them the means of emigration to one of the colonies. The petitioners preferred Canada. One observation suggested by the petitioners was well worthy of the attention of the House. They deprecated poor-rates as degrading to themselves, and an evil to their country. It was manifest that what was given to support the poor, who had no employment was taken from the capital of the country. If they were not employed, they consumed without re-producing, and were thus useless in the community. They increased, therefore, the proportion of population beyond the proportion of produce. He was sorry that his majesty's ministers had not applied to that House for means of giving effectual support to emigration. The distress of the petitioners, like that of many others, was not owing to variations of the market, but to the annihilation of their trade. When England had been the only country which afforded security for the employment of capital, and when the decrees of Milan and the orders in council had put an end to all neutral commerce, the natural consequence had been, that those who felt no security for capital, and found no scope for their industry and skill elsewhere, should come to this country, and employ here their capital and their skill; but when this state of things was entirely changed, those who had come to this country became unprovided for. They, therefore, set up or revived manufactures in their own country. When he heard particular cases of distress urged upon the attention of the House; when he heard the distresses of agriculturists discussed, as they had been last night, he thought some alleviation might be provided. But it was impossible to give such relief to those whose trade was altogether gone. Their case was like that of a man who had lost his arm; he could work no longer as he had done before. They who had fought and exposed their lives by sea and land for the institutions of the country naturally complained, that they could now obtain no assistance from those institutions. They saw, indeed, that they had a House of Commons, but they must lament that it felt no interest for the distressed classes of society. He did think that something ought to be given by the wealthy portion of society, some part of the rents of proprietors, in order to provide the means of emigration to those whom failure of employment rendered destitute. He conceived it sound policy, as well as humanity, to take a small proportion from the great wealth of the nation for this purpose. This he considered a matter of justice, a measure of precaution, and an act of humanity becoming a Christian country, in order to prevent suffering and crime. He implored his majesty's ministers to use their exertions to give effect to the prayer of the petitioners. It was dreadful to see 400 persons in every square mile without any adequate means of subsistence. In making these observations, he was not influenced by any motives of interest. The petitioners had no political weight. He acted only from a feeling of humanity. Yet it was politically prudent as well as humane to pay attention to their distress. In their misery they might be operated upon to engage in plans of reform, and even risings to any extent.

Ordered to lie on the table.

COURT OF JUDICATURE IN WALES.] Mr. *Frederick Campbell* rose, in pursuance of the notice which he had given of a motion relative to the situation of the Welsh Judges, and the regulation of the court of judicature in Wales. The subject, in his opinion, deserved the most serious consideration of the House, as it was an attempt to remedy some of the defects, as he must term them, of the court of judicature in Wales. The remedy which he should propose for those defects was not founded on any newfangled theory, but on the opinions of men who could only desire change, because in their consciences they believed change to be necessary. Indeed, one of them, lord Colchester, whilst practising as a barrister on the Chester circuit, had pointed out the defects of this system most clearly, and had even gone so far as to propose a specific remedy for them. The evils of which he complained had arisen from the change of circumstances which had occurred in the lapse of years. The present system of Welsh judicature was first adopted at a period when a distinct line could be drawn between England and Wales, and when great animosity subsisted between the inhabitants of the two countries. At that period it might be perfectly proper; and a court like the court of great session might have been absolutely necessary. Now, however, that the boundaries of England and Wales served for no other purpose than that of a geographical distinction, and that the interests of their inhabitants had become so closely interwoven that they could never again be easily separated, the case was completely altered, and the necessity for the existence of a separate court, like the court of great session, was materially diminished. A petition had been presented to the House from a number of most respectable individuals, stating that any alteration in the present system of Welsh judicature would be attended with injurious consequences, as the law was administered under it in Wales at a less expense than it could be administered under any other system. He had taken a former opportunity of stating, that, highly as he respected those petitioners, he did not agree in opinion with them; and he must now again state, that, if he thought that any of the alterations which he wished to be made in the present system were calculated to produce such effects as they anticipated, he should be the last man in the world to propose them. But how did the case really stand at present? Why, if an individual brought an action, the pleadings must be drawn, the witnesses must be collected, and the cause must be tried in one week. Could this be done with security? He thought not. If the individual did not choose to have his cause so hastily decided on, what was there left him to do? He must either refer his cause to arbitration after all the expenses necessary to enable him to go to trial had been incurred, or he must postpone it for six months, and wait till the next assizes. If he did not like this plan, he might try it in the next English county; but in that case he would beg leave to remind the petitioners, that they lost two of the advantages on which they principally rested—that of trying the cause at home, and of trying it, as they stated, at a cheap rate. He thought that the statement which he had just made would show the disadvantages of the present system; but he would state another fact, which would show that it was not quite so cheap as the petitioners represented it to be. The fees to barristers were, he understood, quite as heavy in the Welsh court as in the English; and he understood, when barristers drew up pleadings, a greater fee was given to them for doing so than was given to special pleaders. Now, no special pleader had yet been found bold enough to go down into Wales in quest of business, and therefore the pleadings, which were drawn in England by special pleaders, were obliged to be drawn in Wales by barristers. This of course saddled the Welsh suitor with a greater expense than it did the English. "But then," said the petitioners, "if you abolish the present system of judicature, you will abolish also that kind of action called *concedit solvere*, which can be conducted at so very cheap a rate." To this objection, allowing it to be founded in truth, he would answer, that the kind of action alluded to could only be used to recover small debts; and, if it was so useful, he saw no reason why it might not be retained, when other parts of the system were altered or abolished. But an attorney in South Wales with whom he was acquainted, and to whom he had shown the minutes of evidence taken before the last committee—a gentleman who had practised in the Welsh courts for 35 years with the most unblemished reputation—had let him a little into the secret as to the cheapness of this kind of action, and had informed him, that the fees allowed to attornies for conducting it were pretty nearly the same as those allowed to them for conducting an action on a common *capias* in the Court of Common Pleas. Another objection to the present system of judicature was, the heavy rates at which fines and recoveries were effected in the Welsh courts. Lord Dynevor, in his evidence, had stated that they were eight or ten times heavier than they were in the courts at Westminster. There, too, they could be suffered four times; but in Wales they could only be suffered twice. Neither were they the same in all parts of Wales. In South Wales they were higher than they were in North Wales. The hon. gentleman then went on to point out several defects in the administration of justice in Wales. Amongst others, he mentioned that in North Wales a writ of *certiorari* could not be moved, but in the South such writ might be obtained. He should also mention, as another and no unimportant defect, that a motion for a new trial must be made immediately after the first trial is concluded, and before the same judge on the ground of whose misdirection to the jury such motion might have been made. It was not generally to be expected, under such circumstances, that any judge should, without time for calm consideration, acknowledge himself to be wrong, and decide contrary to that which he had just before decided. The case was quite different in England, where, in a motion for a new trial, the judge who tried the case had the benefit of the assistance of the other judges, and where of course the same question could be put a second time for his sole decision. It also happened, in some of the equity cases, that where the two judges did not agree no decision whatever was given. This was not a mere problematical case, for it was one which sometimes had occurred, and it arose out of the ignorance (he spoke it with no disrespect to any particular quarter) of the judges and others connected with those courts in matters of equity. For this reason it appeared to him as most desirable that an equity court should be established; for, from the rapidity of the course of proceeding now pursued (to use the phrase of Mr. Burke), "the most authentic absurdity of form," that justice could not be done in many cases which their nature required. There were few indeed connected with those courts who were acquainted with equity proceedings: and it was not unusual for only one equity barrister to attend the northern circuit, and he need not describe how those must be circumstanced who could not get the benefit of his assistance. Indeed, equity proceedings seemed to be only of secondary consideration in those circuits. No fixed day was appointed for hearing them, and they were only brought on in some idle time, when the weight of other matter did not press. Besides the delay on this ground, there was another strong objection to their mode of proceedings, as they went upon a supposition that no such place as England existed; for the courts had no power to serve any process in England, or to enforce the attendance of any witness from thence; and in the result of any civil action, the party may avoid any costs or penalties by escaping to England. With all these delays and disadvantages, the fees in those courts were as great as those in the court of chancery in England, and that too in matters of inferior moment. He could say a great deal more upon this subject, but he would not then take up the attention of the House. He would only observe, that from those circumstances many persons were prevented from applying for redress; and to those who did, there was no appeal from this miserable tribunal but to the House of Lords. He would pass over the obvious defect of the judges of those courts being allowed to practise as barristers in other courts, and the circumstance of one judge always going the same circuit; and he would come to the manner in which those judges were appointed. The appointment lay in the Treasury; and when a vacancy occurred, instead of looking about at the bar, for the most proper person to fill it, they looked at the House of Commons, of which they knew much more; and if a seat could be secured or a vote gained by it so much the better. They were not very nice in their selection, as the salary was so small, and the situation itself so undignified, that few lawyers of respectability could bear to lose so much of interest and character as the acceptance of this situation might suppose. These circumstances created a feeling in many of the inhabitants of Wales, towards the judges, the very reverse of that which ought to be held for persons acting in a judicial capacity. The hon. member then went on to contrast the situation and character of the English and Welsh judges. The character of an English judge was, he observed, honourable, dignified, and independent. His situation had been made independent of the Crown by an act of his late majesty. It was one of the first, and might be considered as one of the best and most important, acts of his reign. The English judge held his situation free and independent of the Crown; he discharged the duties of his high office without dependence upon those by whom he was appointed. The situation of the Welsh judge was, on the contrary, dependent and obscure, the administration of justice vague and uncertain. Indeed, the inhabitants of Wales might well complain that they were deprived of those advantages of equal administration of justice, which it was declared by several statutes in different reigns, that they should enjoy. They had now a system of judicature which seemed, as it were, but a mockery of their rights; and the more so, as a separate one for them was not necessary. It was impossible, under those circumstances, that they could look with that respect on their judges, which the situation of judges required. They saw the Welsh judge appointed by, and dependent on, the Crown; and at the close of his judicial career, looking to the Crown for a pension, or some other remuneration for his services. He wished to know why it was that eight judges should be considered necessary for Wales, while only twelve were thought sufficient for England? He considered, that if there were only four judges, the business might be done as well or better, under particular regulations, than it now was. He had heard the noble lord (Castlereagh) state, on the discussion with respect to the appointment of a judge in the Scotch Exchequer Court, that his majesty's ministers would not forfeit their public duty by making such situations a subject of patronage. He was anxious to put this declaration to the test, by moving a resolution that the judges in Wales should be held incapable of holding seats in that House. He would not detain the House by pointing out the remedies which might be necessary for the evils he had detailed. They had been ably stated by lord Colchester in his remarks upon the Welsh courts. He had observed, that if the business of Wales were added to that which the English judges had already to discharge, which was in itself fully sufficient for their attention, it would be too great a weight upon them; but he thought that three judges in addition might be sufficient to answer the purpose—to assist at the Old Bailey, and also to go occasionally to the northern counties. The hon. gentleman then alluded to the changes which had been made in the number of the judges in some of our courts under different reigns, to show that the present number had not been invariably adhered to; and concluded by moving, "That a select committee be appointed to consider the state of the court of judicature in Wales; the propriety of abolishing the same; and the means by which Wales may be most readily included within the English circuits, and to report their opinions thereupon to the House."

Mr. *Warren*, chief justice of Chester, said, that in the violent tirade which the hon. gentleman had just delivered against Welsh judges, he had made no exception. Welsh judges in times past and time present, were equally denounced, and even Welsh judges in time to come were to be affected by the contagion of their example. With respect to those observations which applied to himself—

Mr *F. Campbell* denied having made any personal observations.

Mr. *Warren* resumed. The hon. gentleman had certainly said that all were obscure and all were ignorant. The hon. gentleman, living in the part of the country in which he did, could not but know that there were persons who filled situations of as high honour and integrity, and as much professional knowledge as ever presided over any court of justice. One of them was a friend of the hon. gentleman, a most esteemed friend of the late Mr. Fox, and appointed by Mr. Fox to the situation. Nothing but the desire of sinking Welsh judges to the lowest abyss of infamy, could have induced the hon. gentleman to assert, not only that all who now existed, but that all who ever had existed, were corrupt. Did the hon. gentleman ever hear of sir William Grant? He thought not. Of lord Kenyon, of lord Redesdale, of sir Vicary Gibbs, of the present lord chief justice of the Common Pleas? He thought not. If the hon. gentleman had recollected that all these distinguished persons had, at one period of their lives, presided over the courts of Wales, he would scarcely have passed such a sweeping censure upon all Welsh judges. He did not know whether he was himself considered an obscure and ignorant person. He had once many friends on the opposite side of the House [Hear!]; and he hoped he still continued to retain their friendship, though he was aware that little dependence could be placed on the continuance of friendship where party considerations interfered. In looking round the House, he saw many gentlemen on both sides of the House who had done him the honour to employ him [Hear, hear!]. He would take that opportunity of alluding to some observations of a noble lord opposite, which he had seen in the public prints, and which evidently alluded to himself; they were in the same spirit as the tirade which had been just uttered by the hon. gentleman, and he begged to assure the noble lord and the hon. gentleman, that he had too much respect for both of them to feel any thing like anger. He gave them credit for saying what they felt themselves bound to say, and he would take the same credit to himself.—He knew not whether the House would feel disposed to go into the inquiry proposed by the hon. gentleman, but for his part he certainly should not oppose it. He could not help observing, however, that the hon. gentleman had treated the subject as if no inquiry had ever been instituted by parliament. It would be in the recollection of many members, that in the year 1817, a committee was appointed to inquire into the mode of administering justice in Wales. The committee, after a full examination of the subject in May, made their report in July, and had, in fact pointed out all the defects upon which the hon. gentleman had argued this evening. So far, however, from coming to the conclusion, that the courts ought to be abolished, they recommended them on account of the cheapness and expedition with which justice was administered. The hon. and learned gentleman observed, that it was his intention himself to bring forward a bill to remedy the defects in the system of administering justice in Wales, but that he thought proper to wait the result of the hon. mover's proposition. To that proposition he could not think it necessary to accede, because no information of any importance could be expected through any new committee, which was not already before the House, through the committee which sat upon the subject on a former occasion. Before that committee no less than thirty-five very intelligent individuals were examined, among whom were barons Wood and Garrow, and that very respectable person Mr. Benyon, the attorney-general for Chester. Could the hon. mover then suppose that any further review of this case was requisite, or that any new committee was likely to reverse the decision of that to which he had alluded?—Here the hon. and learned gentleman adverted to a petition from a number of most respectable gentlemen in the county of Carnarvon, praying for the correction of the errors of the existing system, but deprecating the idea of totally abolishing the Welsh judicature. The bill prepared by Mr. Jones, which was in his possession, and which he meant to submit to the consideration of the House, was quite in accordance with this petition, that bill being fully calculated to remedy all the defects pointed out in the report of the committee which before sat upon this subject. That bill, therefore, he thought would give satisfaction to the people of Wales, as well as promote the ends of justice. — The hon. and learned gentleman apologized for the length of his speech, and especially for those remarks which referred to himself, but such remarks he felt to be necessary, in consequence of the tirade against him, which had been uttered upon a former occasion by a noble lord opposite (lord J. Russell). But that tirade was unfounded in attributing to him a selfish motive for accepting the office which he at present held, as it was well known that were he to accept the Chiltern Hundreds he could, even from his practice before committees above stairs, soon contrive to earn enough to purchase a moiety of the fee simple of the salary which that office afforded. The hon. and learned gentleman concluded with expressing his intention to decline voting upon this motion, as he was in some degree personally concerned.

Mr. *Creevey* declared, that he was not able to see upon what ground, while the English judges were excluded from seats in that House, the Welsh judges should be allowed to sit there. The object of the law which excluded the English judges obviously was, to preserve the bench from any taint of political or party bias, and with the same view those judges were rendered independent of the Crown. If, then, it was deemed proper to keep the judges from among those who were within the sphere of political action or influence, why should the Welsh judges be allowed to sit in that House? The conduct, indeed, of the learned gentleman himself, who had just sat down, furnished a strong argument, if any were wanted, to show that the judges should not be allowed to have seats in that House.— He had known his learned friend, if he would allow him now so to call him, for above twenty years, during which he could not say that he agreed with the learned gentleman in political opinion, as that learned gentleman went generally much farther than he could [Hear, hear!]. The learned gentleman, indeed, usually concurred with the hon. baronet, the member for Westminster, who was uniformly the subject of his most fervent panegyric. What, then, was the inference from the extraordinary change which had taken place in the learned gentleman's politics (a change, by-the-by, which justified the old adage, as to the proximity of extremes), but that his new judgeship was connected with his new opinions [Hear, hear!]? But the sudden change of the learned gentleman's sentiments, of which he had never heard until the learned gentleman became a judge, was not more remarkable than the ardent zeal which he displayed for his new adherents. This zeal, was, however, very possibly the effect of that apprehension which generally haunted inconsistent politicians, that to appear more ardent than others, was somewhat necessary to avert the suspicion of a disposition to relapse. The hon. gentleman concluded with repeating it to be his opinion, that the learned gentleman's own conduct afforded ample reason to convince the House and the country, that a Welsh judge or a chief justice of Chester should not be allowed to sit in that House.

Lord *John Russell* disclaimed the tirade attributed to him by the hon. and learned gentleman. He indeed recollected to have seen such a tirade ascribed to him, in what purported to be a report of his speech, in one of the newspapers usually devoted to the service of administration, namely, that the hon. and learned gentleman was always ready to support the unconstitutional measures of his majesty's ministers. What could induce the reporter to ascribe these words to him, or the learned gentleman to conclude that he uttered them, he could not pretend to say. But he certainly had never said any thing of the kind. What he really had said on the occasion alluded to was this, that the judgeship which the learned gentleman occupied was usually granted as a reward or retainer for the support of ministerial measures, while that judgeship was generally a step towards other offices, the holders of which were always the supporters of the minister of the day—that is, that the chief justiceship of Chester was usually a step towards the offices of either attorney or solicitor general, which was an observation fully justified by experience. It was well known that the act which rendered the English judges independent of the Crown had given universal satisfaction; and looking to the principle and purpose of that act, he was at a loss to imagine any defence that could be framed for placing the Welsh judges in a different situation from that of the judges of England, or how it could be supposed that human nature was likely to be so different in different places, that when a lawyer was appointed to an office in Wales he was not as liable to be influenced by those motives which usually operated upon mankind as when he held a similar office in England. Under those impressions he supported the argument of his hon. friend, that Welsh judges should not be allowed to sit in that House, and would vote for the motion. The hon. and learned gentleman had that day endeavoured to make an extraordinary display of his purity and disinterestedness, by alleging that he took his present office without any view to emolument, and that if he had vacated his seat, which he had scarcely occupied when he became a judge, he would have an opportunity of earning much more money by attending as a barrister before the committees above stairs than the salary of that judgeship afforded. Therefore as the learned gentleman maintained, that in taking office he had no view whatever to profit, it must be supposed that he regarded that office as an accession to his character; which he perhaps concluded would be more elevated by the connexions which he had lately formed, and the opinions which he had lately adopted, than by those connexions and opinions which he happened to maintain while he associated with his hon. friend who had last addressed the House and others holding the same political sentiments. If this were really the learned gentleman's impression, and he actually thought his character stood higher in the country in consequence of his recent change, he should only say, that he wished the learned gentleman joy upon his taste and judgment.

Mr. *Wynn* regretted the personalities that had been indulged in. When the former report was made, the present chief justice of Chester was not a member of that House. The committee of 1817 did much; but in the absence of so many members, they did not give any positive opinion as to the Welsh judges. With respect to the motion, he felt some difficulty. His own opinion always was, that the abolition of the present system of Welsh judicature could not all at once be effected, or effected with immediate advantage. At the same time, he felt aversion to any sudden alterations, or to those alterations that were at variance with long established practice.—But still he considered that Welsh judges should not be allowed to act as barristers for many obvious reasons. He should be glad, under all the circumstances, when the committee was revived, that the former evidence should be referred to them, as in consequence of the lamented death of Mr. Ponsonby, the chairman of the committee, together with other circumstances, the effect and bearing of the evidence taken before it had never been fully discussed.

Colonel *Wood*, who had also been a member of that committee, said, that the opinion of Mr. Ponsonby, whose name would always be looked up to with respect, had at one time been strongly in favour of abolishing the Welsh system of judicature altogether; and it was but fair to state the manly and candid manner in which that lamented individual acted as chairman. He did distinctly understand Mr. Ponsonby's opinion to have been completely changed by the evidence laid before the committee, and that he thought, on examination into the subject, that the Welsh judicature possessed many advantages, and should not be done away with altogether.—Among all the witnesses examined before the committee, there was only one, a Mr. Owen, who wished the system to be abolished. No question had been put to any of the witnesses, as to the propriety of these judges sitting in that House; nor was there any occasion for hearing evidence on that point before a committee, because it was a question on which the House was able to judge without any such inquiry. One ground of complaint had been, that in consequence of the ambulatory habits of the equity barristers who attended the circuits, the suitors in the courts of equity in Wales could not sometimes get their causes heard for six months. This he thought a less hardship than it had been represented; for he believed that many of the suitors in the equity courts of England would be very well satisfied if they could obtain a hearing in six years. The hon. gentleman proceeded to state various arguments against the abolition of the present system. One reason for not including Wales in the circuits was, that many of the witnesses could not speak a word of English. But he would suggest, that the most serious inconvenience would arise, if the present chief justice, for instance, of the King's-bench, or any other of the bench of judges, were to be required to travel the Welsh circuit. The state of the roads would go far to make their arrival at their destination a very questionable matter. And, in proof of this, he well remembered the unfortunate adventure of Mr. Justice Harding, who was proceeding upon the circuit in that country, when his horse fell down and broke his leg; so that, if it had not been for the friendly assistance of a brother judge, Mr. Justice Harding, would not have been enabled to arrive in time for the opening of the session. He wished hon. gentlemen would view the thing dispassionately, and getting rid of all party feeling, only consider the claims of Welshmen, They were certainly in a state of gradual improvement, which was manifested more and more every year; and were rapidly getting rid of the use of the Welsh language. But he was sure that they would be much dissatisfied if their judicature was ever altered. He thought that the effect of the present motion, so far from giving to the Welsh any advantages beyond what they at present possessed, would rather be to excite dissatisfaction throughout the principality. He could see no good that was likely to result from the revival of the committee: all the evidence which could be procured, through the labours of a committee, had been already laid before the former.

Mr. *Wrottesley* thought it his duty as the evidence which had been brought before the committee which was formerly appointed by the House to inquire into this subject had been so frequently alluded to this night to say, that as much of it was procured as every member of the committee thought necessary. And it was but justice to say, that every possible diligence was used by the late right hon. gentleman who was the chairman, to enable them to come to a proper and final determination upon the question submitted to them. It had been determined to meet, for the purpose of making a full report, when, in the mean time, that deplorable event which all the country sincerely regretted took place. Consequently the committee never did meet again; but it was thought necessary that a report of some kind should be agreed upon; and, accordingly, those members of the committee who were in town concurred in thinking that it was proper to call the attention of the House to such parts of the judicature as they considered to require alteration. The impression on Mr. Ponsonby's mind was clearly and decidedly this—that, on the whole it would not be a good thing to abolish the system of judicature entirely. The reason of that impression he believed to have been founded upon the general feeling of the country, and upon the opinion of Mr. Serjeant Heywood on the subject.

Mr. *Chetwynd* thought what had passed in the House that night quite a sufficient reason for a change of system with regard to the Welsh judges. For to see a gentleman who wore the robe of a judge, standing in that House to plead and at liberty to decide in a cause in which he was personally interested, appeared to him a very great anomaly. He really thought that ministers would do well to give up the source of patronage which they possessed, from having Welsh judges sitting in that House. He had no doubt, indeed, that such a surrender would serve very considerably to advance the character of his majesty's ministers, and he was as anxious as any man that that character should stand high in public estimation. At an early period of the reign of Geo. 2nd, it was enacted that the Scotch barons should not be allowed to sit in that House, and the English judges were also excluded. The judges then both of England and Scotland being prohibited from sitting in that House, he could not see upon what ground the Welsh judges should be allowed to sit there. Another objection to the present system of the Welsh judges was, that they were allowed to practise as barristers in this part of the kingdom; and thus a suitor on the Chester circuit had an opportunity of ascertaining, perhaps of prepossessing the mind of the judge who was to try his cause. On these grounds he should support the motion.

Mr. *Allen* said, that the hon. colonel, who was not, he believed, a Welshman, although he represented a Welsh county, had given a representation of the opinions of his constituents and neighbours upon this question very different from that which he (Mr. Allen) should give of those entertained in that part of the country with which he was himself connected. With respect to the petition which had been presented recently from Carmarthen, and which had been alluded to that night, he was disposed to believe that it was, in a great measure a party petition. He did not by any means intend to attribute such paltry motives to the hon. member for Carmarthen, but he did think that it originated in a spirit of party. As to the question before the House the only merits he had heard ascribed to the system of Welsh judicature were its superior cheapness and dispatch. If he should be able to prove however that this cheapness and despatch were counterbalanced by very great and serious evils, he presumed he should remove the sole argument which the advocates of that judicature had yet brought in its support. Now, upon the point of cheapness, it might indeed be said that the items, the details of legal expenses, were cheap; but if they would take any town or district of Wales, they would find that the total sum expended there in litigation would far exceed that of any town or district of the same extent in England—a circumstance which arose, no doubt, from the tendency which the cheapness of laws had to excite litigation. With respect to all this cheapness and despatch of judicial proceedings, however, although he certainly would not attempt to dispute the advantages they yielded, yet, if they were outweighed by more than tantamount evils, he must consider the principle a pernicious one. So it might be said that the English system of judicature was the dearest, and the Turkish the cheapest in the world. The advantage of superior cheapness of litigation was to be estimated by the feeling of security which it threw round the subject, and by the confidence with which it inspired him of the protection and safety of his property. It was as a member of this principality that he now claimed for his countrymen that they should be admitted to all the advantages of the British constitution—advantages which they could not be said to possess while they had inferior judges, an inferior bar, and inferior attornies. He would here beg to guard himself from any imputation of wishing to speak with the least disrespect of those individuals who now administered the law in their judicial capacities to the principality of Wales; and indeed, so far as he was connected with them, he had pleasure in saying that the judges of the Carmarthen circuit stood very high in every point of legal and moral character, and well deserved any office which it was in the power of his majesty to bestow upon them. But it was to the principle of their appointment that he objected. No man would say, that to choose judges from political motives and opinions was not an evil, the nature and extent of which were incalculable. He remembered being struck with the observation which was made in the other House of Parliament by an eminent prelate upon a very different kind of debate —namely, the admission of the clergy to seats in the House of Commons. Bishop Horsley, upon that occasion, expressed himself to this effect—" I am adverse to the admission of clergymen to seats in the House of Commons; not that I suppose any one will say, at this time of day, that the habits of the clergy render them unqualified to undertake the duties of legislation: I admit the advantages of their education and pursuits; but it is because I believe that the arts which are made use of to obtain seats render it improper that they should fill them."* He would beg leave to apply this argument to the present question, by saying that the arts by which these judges might be appointed to their situations were not such as the friends of the principality could wish. Another objection to the present judicature was, that the celerity of proceedings became the favourer of litigation. The number of attornies in the principality exceeded, unfortunately, that in any other district of the kingdom. The number in the town represented by his hon. friend, alone, was no less than thirty, and every other town was overstocked in proportion. It was hardly possible to calculate how much the spirit of litigation was encouraged by such multitudes of attornies; and whatever had been objected to the tendency of the popular disposition to litigate, there was a much greater tendency to it in the system of Welsh judicature. The hon. member for Brecknock had related the misadventures of the judges in going the circuits, which he seemed to attribute to the state of the roads in Wales; but he could assure them that the roads, at any rate in his part of the principality, were as good as those of England, and no difficulty would be experienced in travelling those circuits. Another objection which had been urged was, that the Welsh business could not command a sufficiently respectable bar; and the question would be found upon the papers before the House, whether, if the two circuits were joined together, there would not be sufficient inducement to respectable practitioners? Now, suppose they took the three counties of Oxford, Gloucester and Monmouth, and joined them to the southern circuit, would not there then be sufficient business, he would ask, to procure them at least as respectable a bar as any other circuit? The spirit of litigation was best evinced by the number of actions entered in the county courts. Such an excess of suits must have a tendency to increase the number of attornies to a very great amount. But he would beg hon. gentlemen to look at their sheriff-courts, which formed the greatest curse under which the principality laboured, and which could only be remedied by the abolition of the present system of judicature. It had been asked, why it had happened, if this evil were really felt in Wales, that no petitions had been before presented to the House upon the subject? He would answer, that this circumstance resulted from one or two causes, and principally because, he supposed, the gentlemen of the principality had a worse opinion of his majesty's ministers than he had; for those of them with whom he had conversed upon the subject had said, "Oh, ministers will never part with the patronage; they will never give up the appointments." Now, he did think that ministers would readily part with that patronage, whenever they were convinced it was proper and advisable to do so. In conclusion, the hon. gentleman declared he saw nothing at present which should prevent his majesty's ministers from going into the committee.

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* Parliamentary History, vol. 35, p. 1546.

Lord *Castlereagh* said, that the hon. gentleman who had just spoken had done no more than justice to his majesty's ministers in supposing that they neither had nor could have any other object, upon this question, than that that should be done which was best calculated to render justice to so large a class of his majesty's subjects. For himself he had no difficulty in saying, that he had come into that House under this general impression upon the subject—that it had already undergone, the most elaborate examination—that every possible inquiry had been made, and every possible evidence obtained from the most able and intelligent persons; and therefore he had conceived that all topics which could now be proposed to be submitted to a committee had been so entirely exhausted, that it would be the more natural and proper course for the House to urge some gentleman to propose a remedial measure, either altering or remodelling the judicature of Wales, rather than that they should again go into a committee. He had no hesitation, however, in acknowledging, that observations had been made in the course of the debate, and particularly by an hon. friend of his, which led him to rather a different conclusion. They led him to consider, that the labours of that former committee had terminated under circumstances less satisfactory, certainly, than they would have been, if after hearing all the evidence to be brought on the subject, and that with the additional advantage of hearing the manner in which it was given, they had gone on to make a report which should have been of that clear and ample nature which generally resulted from the labour of a committee. It was therefore, what had fallen in the course of the debate that had induced him to suppose that their information upon the question was less perfect and satisfactory than he had imagined it to be when he came into the House. But he was sure, that if the House should concur in thinking some further proceeding advisable, it would yet be quite impossible for them to adopt the motion of the hon. gentleman, as it was at present worded. He had carefully looked at that wording and though it did not pledge the House exactly to the abolition of the Welsh judicature, yet it was so framed, as to do so by implication, and to convey a charge against it, by supposing that abolition necessary, for it concluded with a charge to such committee, "to consider the propriety of abolishing the Welsh judicature, and the best means by which the same could be effected." The hon. gentleman would allow him to observe, that this was to ask them to abolish a judicature, not only in direct defiance of the opinions expressed by members of the former committee, but before they had suggested any means of substituting another system. The noble lord went on to observe, that without disparagement to the opinions of any of the individuals who had given before the committtee their opinions upon the case, or to the opinions of the hon. gentleman, he did not see how one authority or so, was to weigh against that of 24 others, among whom he found the names of sir William Grant, Mr. Leycester, sir James Mansfield, and many others of the highest authority. He had no objection, however, if the House felt so disposed, to have the question farther investigated; but he should wish that to be done without prejudice to the existing judges, who were distinguished by every quality that was honourable in society,—a judicature to which, if he might believe the greater part of the evidence which had been offered on the subject, that part of the country was most warmly attached. And although, with that partiality with which every man viewed his own national institutions, he might prefer our own, he did think that it must require some time to prove the advantage of substituting our system for theirs. He could not by any means jump to the conclusion, that that which was good for one part of the kingdom must necessarily be good for the other; for, if our system were intended to operate at all, it must take some time before it could do so with all that facility of action which it was found to do in England. He should have no objection to a committee moved for in the same terms it was originally moved for. He could easily suppose that those members who on a former occasion had heard the evidence, were much better calculated to extract the proper inferences from it than the House itself; but he did not know why the new committee should be more competent to judge upon it than the House itself; and therefore he begged to be understood that he would not wish such committee to be precluded from asking for further information. To the hon. gentleman's motion, therefore, if this amendment were substituted, he saw no objection. He would suggest the words of the original motion for a committee, instead—"to inquire into, and report to the House, their observations touching the laws relating to the administration of justice in Wales." And in the propriety of not limiting a committee to the former evidence, the House would the more readily concur when they knew that the late Mr. Ponsonby (no mean authority) went into the former committee, with a persuasion of the necessity of abolishing the judicature of Wales altogether, and carrying into the principality the laws of England, but, with the candour of a legal mind, his expressed opinion subsequently, so far as it could be traced, was of a different character; he abandoned his first idea, and considered that they should best consult the interests and feelings of that part of the population of the united kingdom by leaving to them their ancient institutions as they then existed. He could not sit down without expressing his sorrow that any hon. gentleman, whatever were his opinions upon the subject should have indulged in any observations upon the respectable individuals who filled the offices in question. Appealing to the feelings and observation of individuals, it was only necessary to look over the list of distinguished persons who had filled the offices in question, to be convinced that they did not deserve the severity of remark that had been applied to them. He protested against the mode in which some hon. gentlemen had argued the question; professional merit only had been the guiding principle of choice whenever a vacancy had occurred, nor had the reward been conferred from any other motive. With regard to the charge against his hon. and learned friend, he would only ask, whether it was to be presumed, because he had a public duty to perform in parliament, that he would carry the feelings of party into his judicial situation? There was a refinement in this mode of reasoning and accusation beyond what was fair, and it would be quite as reasonable to charge hon. members who acted as magistrates at quarter sessions, judges in civil and criminal matters, with being influenced there by the part they took in the political measures of the day. Looking back to the history of these appointments, he could not perceive any of that strong desire to choose the Welsh judges from members of the House; at present the only individual filling an office of the kind, and a member of the House, was his learned friend. Whatever disposition any hon. gentleman might feel to point remarks against that learned individual, because he sat on one side of the House rather than on the other, he could only reply, that if the opinion of the profession were taken upon the conduct and character of the present chief justice of Chester, it would be found to imply a severe censure upon the imprudence and inaccuracy (to say the least of it) of those who had thought fit to indulge in such unmerited aspersions. His lordship had ever held those men in greatest respect in this country who knew how to look at political events as they were passing, and to mould their opinions accordingly. It had been stated by an hon. gentleman, that the chief justice of Chester had abandoned opinions he formerly held; and supposing this were the case, he was not aware that it had lowered the learned chief justice in the estimation of his friends even on the opposition side of the House; he could not name an individual who, either as a lawyer or a man, was entitled to higher respect or greater regard: he had always thought so; but this sentiment was confirmed by the opportunity he had lately enjoyed of judging of his character. His lordship concluded by moving as an amendment, to leave out all the words after "appointed" for the purpose of inserting the following: "to inquire into and report to the House their observations, touching the laws relating to the administration of justice in Wales."

Mr. *Barham*, as a member of the committee to which this subject had been formerly referred, said, that the last time he asked his lamented friend Mr. Ponsonby, what he thought would be the result of the investigation, respecting the system of Welsh judicature, his answer was in the singular terms, "that he thought it would be the best way to get it into the great boat." He had heard his right hon. friend express the most decided opinion, that the system of the appointment of the Welsh judges was most corrupt. He used to say that it was generally a job. Certainly the hon. mover had never declared any thing so preposterous as that every Welsh judge who had been appointed was ignorant and corrupt. But he said that they were not appointed as the English judges were, on whose appointment no suspicion ever rested; as they were obviously selected for their character and learning. If he were asked if he had not heard of sir William Grant, and other eminent men who had been Welsh judges, he would reply, yes; but he would ask, in return, if his interrogator had never heard of a Welsh judge who was appointed after having relinquished his profession for ten years, and who was the clerk of the king's kitchen at the time; and whether he would lay his hand on his breast, and say that he did not believe the appointment of that individual grew out of some transactions in a borough in the county of Surrey? There had been several other Welsh Judges; among the rest two of the names of Lloyd and Popham, who were by no means fit for that situation. In proof of the evils arising from allowing any man to hold a judicial situation, who might be consulted elsewhere as a counsel he instanced the case of an attorney of the name of Matthews, who having obtained the written opinion, as a counsel, of the Welsh judge Lloyd, on a case that was to be tried before him, when Lloyd charged the jury in contradiction to that opinion, held up the paper in his face, and exclaimed, "how could you take three guineas of me for giving one opinion, and then take the king's money for giving another? It had been said, that the abolition of the present system of Welsh judicature would cause great dissatisfaction. He was of a different opinion. He believed that, in South Wales especially, if there was any one thing in which the people were unanimous, it was in their wish for the introduction of the English system of judicature. The hon. member proceeded to state a variety of arguments in favour of his opinion; but concluded by saying that he was satisfied with the noble lord's proposition.

Mr. *Bathurst* defended the character of the Welsh judges from the imputations which he conceived had been unjustly thrown upon them. It was true that A or B might have received an opinion from one of those judges in his capacity of barrister, but was that judge to be taunted with having held a different opinion on a subsequent occasion on the bench? It was known that the great lord Mansfield had, when a barrister, held opinions which he had subsequently found it necessary to change. But surely that learned judge did not deserve to have this alteration of opinion held up as a reproach against him. He supported the amendment of his noble friend.

Mr. *Barham* wished to take the earliest opportunity of rectifying a mistake into which he had unintentionally fallen. In speaking of Mr. Justice Lloyd, he had imputed to that gentleman certain matters which he believed were chargeable not against him, but another individual.

The *Chancellor of the Exchequer* said, that his early recollections impelled him to do justice to the Welsh bar and bench. Unless a great change had taken place in the judicature of that part of the country within the last twenty years, which he believed was not the case, both the bench and bar were entitled to the greatest respect. He recollected when he had the honour of practising at the Welsh bar that the bench was filled by men of the highest respectability and talent. Mr. Lloyd, whose name had been so often alluded to, was selected from his great ability at the Chancery bar to fill the office of judge. That appointment was wholly unconnected with any political or party feeling. He could also mention the names of sir William Jones, lord Redesdale, lord Manners, sir W. Grant, and several other eminent men who had held similar situations. These were enough to show the respectability of the Welsh bench. He concluded by giving his support to the amendment.

Mr. *W. Parnell* had heard with the utmost pain the observations upon his learned friend the present chief justice of Chester. It was impossible for his learned friend to have accepted the situation from any base or unworthy motive; he took it probably from an honourable love of influence and power, that he might enjoy more extensive means of doing good, and contributing to the welfare of his country.

Mr. *R. Martin* regretted extremely to have heard so many pointed allusions hurled at his hon. and learned friend, from the opposite side of the House, where his hon. and learned friend had long sat, although he was now transferred to his side. But he did not learn that he had belied any principle on one side, which he had professed on the other. He remembered an expression of the late Mr. Ponsonby, who had long been considered by the gentlemen opposite as a staunch patriot and an ornament to their ranks, an expression worthy of being recorded. It was, that a man who had been a patriot out of office, might be doubly a patriot in office; and he hoped that maxim would be repeated now with some advantage to the country, and be favourably received by the gentlemen opposite, and induce some of them to come over to his side, and display their patriotism with so much more advantage to their country. The imputation suggested against his hon. and learned friend, of delivering opinions as a judge different from those he had professed as a barrister, might with equal justice be applied to every judge on the bench. It was in the very nature of things, that a gentleman of the bar, feed to support one side of a cause, and bound to use his best exertions for his client, should urge arguments, and profess opinions which, as a judge, calmly viewing both sides of the case, he would not avow from the bench; and on this ground he would venture to appeal to her majesty's solicitor-general, and ask him, if, by any train of fortuitive events, he should, at some future period, find himself elevated to the bench of this country (and as all things were in the hands of Providence, such an event was by no means unlikely), how he would like to have hurled against his judicial dignity any former opinions which he might have professed in that House or elsewhere?

Mr. *Denman*, in answer to the question put to him by the hon. member, hoped he should never have cause to be ashamed of any opinion he had ever delivered in that House, or elsewhere; nor did he fear that any opinion he had delivered or should deliver in that House or any where else would ever rise in judgment against him; nor should he desert those opinions in any situation in which he might be placed.

Mr. *Scarlett* said, that the anecdote about the Welsh judge acting as counsel, and delivering an opinion in the one capacity which he reversed in the other, was certainly possible, and as such it was a good illustration of the inconvenience of uniting the two characters.

Mr. *Campbell* addressed the House in reply. After some allusions to the salaries of Welsh judges, and to the opinion given by lord Bulkeley before the last committee, he observed, that he had no personal enmity to any of those gentlemen; on the contrary, he had the highest respect for many of them. There was one for instance, Mr. Heywood, for whom he had the highest esteem and friendship. There was no man more respectable in his profession—there was no man whose character was more strikingly contrasted with that of another individual spoken of that evening. He had accepted his situation without any compromise of principle; he had never held a seat in that House. He had no objection to accede to the amendment of the noble lord.

The amendment was then agreed to, and a committee appointed.

LABOURERS WAGES BILL.] Mr. *Littleton* now rose to bring forward his motion, for leave to bring in a bill, to amend the laws in existence, for obliging the persons who employ labourers and workmen to pay their wages in money, and not in goods or other equivalents. The hon. member shortly explained the object of his intended bill; namely, to relieve the labouring poor in manufacturing districts from being obliged by their employers to take their wages not in money but in groceries and other articles of consumption, upon which the employer had a profit, and whereby the labouring man was deprived of his option in disposing of his earnings to what he conceived the best advantage for his family. The oppressive effects of this system were felt by vast numbers of the working classes in various manufacturing and mining districts, as a heavy grievance which ought to be removed. He was aware that there were already statutes in force imposing heavy penalties upon employers who should thus deal with their workmen, But how was the poor labouring man to appeal for relief? If he resorted to a magistrate for redress against his employer, an appeal was immediately had from the decision of the magistrate to the quarter sessions. But how was a poor labouring man to afford a journey of 30, 40, and sometimes 60 miles to the quarter sessions of his county, bringing with him his attorney and his witnesses in support of his claims? The thing was impossible, and so long as the law was in its present state the grievance, which was a very heavy one, must remain unredressed. The hon. member was aware that his bill, in endeavouring to effect much and general good, might be attended by some partial evil. He understood there were many respectable employers of the poor in extensive mines and manufactures, who, so far from wishing to derive any profit or take any advantage, by paying their labourers in goods instead of money, did for their advantage lay out large sums in purchasing by wholesale quantities of flour, groceries, and other articles of constant consumption, in order to dispose of them to their labourers at the lowest price, and never to force on them such commodities in payment for their labour, but at their own option; but the general grievance of which he complained was so severely felt, and so many affecting statements had reached him from various parts of the country, since he had given notice of his intention to propose his bill, descriptive of circumstances so extremely oppressive, that he felt it his duty to bring forward the measure, even at the risk of some partial evil, with a view to remedy so general a hardship. He concluded by moving, "That leave be given to bring in a Bill to render more effectual the Laws for securing to Labourers the due Payment of their Wages."

Sir *J. Mackintosh* would not object to the introduction of the bill, though he thought the hon. gentleman would effect a more beneficial object by moving for a repeal of all former enactments that interfered between master and workmen. He was convinced that the best remedy for the evils complained of would be, to abolish all restrictions. He reserved to himself the right of opposing this bill in its future stages.

Mr. *Robinson* entertained great doubts as to the beneficial tendency or good policy of legislative interference in the agreements between master and workmen. Restrictions of the kind now proposed had existed for a long time, and it might be a delicate question, whether they ought immediately to be abolished; but he had no difficulty in saying that if we had to begin again, he would not countenance such a policy. He would not oppose the introduction of the bill, but neither would he pledge himself to its future support.

Mr. *Wrottesley* expressed his satisfaction that the attention of the eminent individuals who had just spoken had been called to the subject.

Colonel *Wood* hoped that time would be allowed to spread the knowledge of the measure throughout the country before the bill passed into a law, as he had received notice from Wales that there would be petitions against it from those connected with the iron-works in that quarter.

Mr. *Hume* said, the present law was evaded, but he would rather that the fifteen restrictive acts should be repealed, and a perfect freedom of making agreements allowed between master and workman, than that new enactments should be made which would likewise be evaded. He strongly objected to the continuance of the combination laws, the repeal of which would go far to satisfy the bulk of the labouring poor.

Mr. *Baring* regretted that such a motion should have been made. He was aware of the good intentions of the hon. mover, but he thought the question of such importance, that a committee ought to be appointed upon it. He hoped the hon. mover would see the propriety of altering his motion to that effect.

Mr. *Littleton* could not help feeling some doubt on the subject, after the opinions which he had heard. He thought, however, that he had better persevere in his motion at present. As long as the existing laws remained it was necessary that they should be rendered effective. He had no objection, at a future stage, to move for a committee to inquire into the expediency of repealing those laws altogether.

Mr. *W. Smith* agreed with the general principle of leaving trade free, although the practice was against that doctrine. He thought a motion for a committee would have been better; because, if the allegations were proved, that would support the necessity for the bill. If not, there would have been good grounds for repealing the acts altogether. At any rate, he could not agree to a denial of a consideration of the subject.

Leave was given to bring in the bill.

Linen Bounties.] Mr. *Maberly* rose, pursuant to notice, to bring under the consideration of the House the propriety of continuing the Bounties on the Exportation of British and Irish Linens, and with this view, he moved, that the 29 Geo. 2nd, c. 15, the 3 Geo. 3rd, c. 12, the 23 Geo. 3rd. c. 14, the 46 Geo. 3rd, c. 29, and the 51 Geo. 3rd, c. 14, be read. The said acts being accordingly entered as read, the hon. member moved,—"That this House will to-morrow resolve itself into a committee of the whole House, to consider of the said acts."

The *Chancellor of the Exchequer* was of opinion that it would be better if this question were brought forward by some member of the executive government, but, at all events, it was not necessary to introduce it now, because the acts providing for those bounties would not expire till next year. The intermediate period would allow the executive government to determine whether they would or would not continue them. He was anxious that the different parts of the United Kingdom should be placed as nearly as possible on the same level with respect to trade, but he was the more ready to put off the consideration of this question, because he thought the whole subject of the encouragement of trade was likely at an early period to come under the consideration of parliament. He would therefore take the liberty of moving the previous question.

Mr. *Maberly* expressed great surprise at the manner in which his motion had been treated. After he was given to understand that no opposition would be offered to him, the right hon. gentleman came forward and moved the previous question. He had a right to complain of this as a breach of faith, and he would now therefore enter into the grounds of his motion. Bounties were given on the exportation of Irish linen, and by the act of union the different parts of the United Kingdom were placed on the same footing with regard to bounties. The Scotch linen trade, therefore, ought to have the same encouragement as the Irish. He did not wish at present to agitate the question of the policy of bounties, but while they existed, they should be extended to all parts of the united empire alike. The right hon. gentleman (Mr. Robinson) had agreed to this in a former debate; but by a strange breach of faith, which had no parallel, the chancellor of the exchequer moved the previous question on a proposition for carrying it into effect.

Mr. *Robinson* expressed regret at any misunderstanding to which he unintentionally had given rise. He certainly stated, in answer to a noble lord opposite (Milton), that it was but just and expedient that the bounty enjoyed by the Irish manufacturer should be extended to the Scotch and the English, but he did not pledge himself to any continuance of the bounty. Scotland and England had the same right to bounty for the exportation of linen as Ireland; but as the act would expire in 1821, none of the three kingdoms could claim its continuance beyond that time. He had, in fact, declined giving any assurance to the hon. gentleman on the subject till the period when the bounties should expire, which would be in March 1821. When the hon. gentleman stated his determination to bring it forward immediately, he had replied, that the hon. gentleman was master of his own conduct, and would of course exercise his own discretion; but he was not surprised that his right hon. friend should deem the motion premature. He was no great authority on the construction of acts of parliament, but it was well understood, that when a law was passed for continuing a former law, its operation reverted to the period when the former law ceased to exist. He certainly had, upon communication with the parties, admitted that, in fairness and justice, they were entitled to the same advantage as the manufacturers of Ireland. Although he thought the motion premature, he could not therefore consistently oppose it, if limited to the extent which he had specified.

The *Chancellor of the Exchequer* expressed his regret at having misconceived the understanding which it now appeared had been come to between the hon. gentleman and his right hon. friend. With the permission of the House, he would withdraw, under these circumstances, his motion for the previous question.

Mr. *Maberly* observed, that nothing could be more distinct than the communication which had passed between Mr. Robinson and himself. He had shown to the right hon. gentleman the paper which he intended to submit to the committee, nor had the slightest intention of opposing the bill which he was desirous of introducing, been signified. He thought himself therefore warranted in the observations which he had made, and he hoped he should not be excluded from resuming those observations as far as they related to the act of union.

The *Speaker* reminded the hon. gentleman that the question originally was, that certain acts be entered as read, and that the House do resolve itself into a committee on the following day, to consider of them. Upon this the chancellor of the exchequer had moved the previous question; but, after an explanation of something which had passed between the hon. mover and a right hon. gentleman permission had been asked of the House to withdraw it. The only question now was, that the House should resolve itself into a committee of the whole House to-morrow, to take the subject into consideration.

The question on this motion was then put and agreed to. Mr. Maberly then moved, "that it be an instruction to the said committee to consider of charging a duty on the importation of foreign linen yarn."

Lord *Milton* apprehended that the House would be travelling rather too fast in immediately assenting to this new proposition without any discussion. It seemed to him that it would be early enough to bring forward this question on the following day.

Mr. *Robinson* thought it would be an extraordinary proceeding to send such an instruction as this to a committee of the whole House. It was the addition of a matter that had no connexion with the subject into which the committee was appointed to inquire. The first object that was to engage the attention of the committee was the continuance of certain bounties; but to this the hon. gentleman was desirous of superadding an entirely new law. He doubted whether this was consistent with the forms of the House; but, at all events, he was not pledged to support more than the hon. gentleman's first proposition.

Mr. *Tierney* was of opinion that his hon. friend had adopted the proper course, and made his motion at the right time. It was not to pass without discussion, but the discussion would regularly take place when the committee should be appointed.

Mr. *Bankes* conceived that the terms of the instruction being in some degree imperative, brought the whole question now before the House.

Sir *John Newport* remarked, that the subject matter of the instruction was altogether extraneous to the question which the committee would have to consider.

The *Speaker* said, that, without reference to the arguments adduced on either side, it must be the wish of the House that its forms should be complied with. It was clear that, if the terms of the motion were imperative, it was no instruction at all; and that it must be brought forward in another shape in the committee, and make part of its report with a view to a future bill. But in this case the instruction was not imperative, and the real difficulty which he felt, arose from a doubt whether it was competent to make such an instruction referring to matters which, without it, the committee could not consider on any day but that on which the committee was appointed. It was, however, substantially inconsistent with their forms to take any step, or express any opinion, prior to the time of discussion.

Mr. *Maberly* declared himself quite willing to defer to the sense of the House, or the opinion of the Chair.

The question as to the instruction was then withdrawn.

Alien Bill.] Lord *Castlereagh* rose, pursuant to the notice he had given, to move for leave to bring in a Bill to continue the Alien act, and to abolish naturalization, arising from the purchase of stock in Scotland. The bill intended to continue the act for the same period during which it had been lately in force, namely, two years. This was the fifth time which this question had been brought under the consideration of parliament.

In calling the attention of the House to a subject with which it must be perfectly familiar, after the repeated discussions which it had undergone since the conclusion of peace, he did not consider it necessary to go into any wide extent of observation. He should confine himself within a narrow range, and, in truth, had intended to preface his motion with a few sentences only, till he understood that an hon. and gallant general, and some other hon. members near him, had intimated a determination to oppose at this early stage the measure which he had in contemplation. He did not mean to complain of this proceeding on their part; it was quite open to them to act in this manner with reference to a subject the nature and tenour of which they so thoroughly understood. The proposed measure was regarded on the other side of the House with a great deal of constitutional jealousy: it was imagined that it went to alter the established habits of the country as respected foreigners, and the avowed intention to oppose it on this principle made it his duty to state the grounds on which parliament was again called upon to renew it. It was not probable that it would be contended either that any disposition to abuse the powers which the Alien act vested in his majesty's government had been indicated, or that any actual abuses had been committed. He was confident that, when the returns were produced, the small number of persons sent out of the country would raise not the argument of abuse, but rather an argument that there was no adequate necessity for continuing the law. But the House would allow him to remark, that the paucity of such cases did not prove that the measure might be dispensed with, or that its existence was not conducive to the public safety. It was no evidence that great danger would not arise if the government had not this preventive power in its hands. Many foreigners might be tempted to come over here with improper views, were it not for their knowledge that government had the power to send them forth. The number at present in this country was 25,000, being a considerable increase on the number in 1818; and of these very few comparatively were here for commercial purposes. He was aware that foreign merchants were peculiarly favoured by Magna Charta, and some of our older statutes; but the practical question was, whether, in the present circumstances of Europe, and of this country, so large a number of foreigners ought to be left exempt from all control on the part of government. No one more than himself respected that free and generous spirit of the country, which afforded a sanctuary for distressed foreigners, which extended to them the protection of the laws, and did not hold them accountable for acts done in other countries. But they could not, in his opinion, safely carry the principle so far as to admit a multitude of foreigners who might come for purposes hostile to our own domestic peace, or in order to carry on their machinations against foreign states. The measure was to be justified, therefore, with reference to British objects and British security: its tendency was not to refuse protection, but to guard our internal repose, and to prevent any compromise of our amicable relations with other powers. As to the necessity of such a measure having ceased with the war, he begged leave to say that parliament had more than once overruled that proposition. There was also a material difference between the principle of the war Alien act, and the provisions of the measure now under consideration, and as it had been framed since the establishment of peace. During the continuance of the war, every foreigner who visited this country was presumed to come with inimical feelings, and he was placed under the inspection of the police. He was constrained to reside in a particular district, and treated in every point of view as a suspected person. He might be sent forth either for special reasons or on violating the regulations which had been prescribed for his observance. The law underwent a material change on the arrival of peace. There was now no presumption against the foreigner: he was permitted to reside where, and to change his residence as often as, he pleased. All that was required of him was, to deliver his name at the port where he landed, and to sign it before a peace-officer. Every facility of access was then granted, and he was at liberty to enjoy in its full latitude the hospitality of this country. It was only when supposed to be engaged in schemes dangerous to the state that a power was reserved of sending him forth as in time of war. If this policy were wise on the return of peace, he did not think that what had subsequently occurred afforded any reason for leaving the executive government more helpless than at that period. It was very true, indeed, that the foreign war had ceased, but it was equally true that a species of internal war might exist within the country—a species of war more dangerous to its peace, and more embarrassing for the executive government to contend with in support of the public safety, than that open and undisguised warfare which might be waged by a declared enemy. He thought that the events which had passed within their own country of late years, must convince gentlemen, that, as far as internal danger had existed, it was more malignant, it was of a more decided and extensive character, and aimed more directly at the subversion of the constitution, than any which could have been supposed likely to menace their safety at the time when the Alien law passed. The House might ask, "What have the treasons in this country, which have been proved to exist, in due course of law—what have they to do with the non-admission of aliens?" If gentlemen could persuade themselves that foreigners never did, and never could, and never would lend their assistance to the disaffected—if it could be supposed that, under all circumstances, no foreigners could be found to assist in combining the treason that might exist in this country with their own views against the state—if those treasons could never be used in furtherance of the hostile efforts of other states, then indeed the argument would have some weight. But this was by no means a fair presumption, and, if not, the argument was fallacious. Though they had receded from the French revolution, yet it could not be said that those "gentlemen" who now advocated the principles which were admired at that period had at all degenerated from the feelings or violence of their predecessors. He believed there were traitors in this day who were ready, in the accomplishment of their schemes, to set at defiance every principle of humanity, every sentiment that was worthy of man in civilized society, or that was consonant with the character of beings in a human shape. If a fanatical spirit were abroad, which induced men to think that they had a right to do acts even of murder, that they might advance their projects—if that fanaticism were to be found on the continent as well as here, might not the kindred feelings which inspired it, induce individuals, labouring under its influence, to assist each other in attaining their objects, as far as their means and opportunity permitted them? He therefore conceived that he did not call on the House to adopt an indefensible measure when he asked them to agree to this bill. When bad principles disclosed themselves—principles which must operate more against the internal peace of the country, its character, and safety, than any others which could be imagined—and when those dangerous principles seemed to be in unison with others that were disseminated abroad, it was surely right to provide for the security of the state. Besides, he thought the measure was necessary in order to secure that peace which this country had conquered — to prevent our character being compromised with foreign states, which assuredly must be the case if we received and retained on our shores those who had been sent away from other countries, or who had fled from punishment. By doing so we might be looked upon as participating in their designs. Such was the nature of the necessity which, he conceived, demanded the present measure. With respect to the measure itself, although he admitted that a law of this description was but of modern introduction into the country, yet, as far as the principle was concerned, he could hardly imagine any state in which it was not found to exist. There was, he conceived, no country, in which it was not competent for the civil power to send away foreigners, who, abusing the confidence reposed in them, to the extent of shaking the peace and overturning the constitution of the state, were no longer fit to be sheltered within it. He thought it was too much to say, that foreigners should come into a state, and, if they could keep themselves within the law of that state, or the technicalities of the law, they should be safe, and the civil power should have no opportunity of removing them, however dangerous their presence might be to the safety of that state, in various points of view. If this power were allowed in every country—and he knew no state in which it was not incidental to the sovereign power—where, he would ask, could it be placed, under this constitution, but in the executive government, appointed by the Crown, by whom other great powers were also exercised? With respect to the question, whether or not it was a power that really belonged to the executive authority of this country—as a power, not exercised under a law of this description, but as a portion of authority recognized by the present law, as existing in the sovereign the House was aware that on this question the highest law authorities had given a distinct opinion. Blackstone stated that it was competent for the Crown to send all foreigners out of the country. The late chief-justice of the King's Bench, lord Ellenborough, laid down the same doctrine, distinctly, in the discussions that had taken place elsewhere on this subject. The present lord chancellor considered it a power, which, by the frame of the constitution, necessarily resided in the Crown, and which had been acted on in different periods of our history. No doubt the power, which by the constitution was vested in the Crown, would be very little applicable to the present time, if it were exercised as it had formerly been. If he understood the system properly, the alien, in former times, in case of his refusal when ordered to go forth, was subjected to the ordinary course of law, and was prosecuted for his disobedience. Therefore, this power of the Crown was of such a description, that if it were to be exercised in this manner in the days in which they lived, it would not be found sufficient for the accomplishment of its own object. The consequence was, that this defect gave rise to the course of legislation by which the present bill had been produced—which was a modification, a due application, and a proper regulation of that power which actually resided in the Crown, but which, until thus regulated, was slow and inconvenient in its operation. If they lived in times when there was a complete state of peace in the world—when there was an absence of any danger that might threaten to disturb the general tranquillity of all states—he should feel that it would be a very natural disposition for all ranks to entertain a desire that this country should be allowed to proceed on its ancient system of law, and that our shores should be left completely open to the ingress of foreigners. They might then be guided by the necessity of any case that should happen to arise, instead of having a specific law on the subject. But they did not live at such a period, and therefore the law became necessary. Having stated to the House, without exaggeration, what he conceived to be the character of the present moment, he would submit to gentlemen whether it would not be trifling with the peace of the country, exposing its best interests to danger, and, with its interests, the best interests of mankind, if they did not give to the Crown the effectual means of checking the evil he had described, if those means which formerly existed were insufficient for that purpose. He must again call on the House to say, whether there had been any disposition on the part of government to ask for those powers, connected with any other feeling but a desire for the public safety; and, having obtained them, whether they had been exercised in a way that savoured of oppression, or with a disposition that rendered the hospitality of this country less grateful to foreigners than it hitherto had been? If they had not been improperly asked for—and if, when granted, they had not been abused—he trusted the House would act on the side of public safety, and not deprive government of this engine of preservation, which, in his conscience, he believed, had only been put in operation against individuals who came to this country under improper circumstances, and whose conduct might have created a scene of faction dangerous to our tranquillity. He did not mean to place this measure on a permanent principle; although much of what he had stated, and much that could be advanced, with respect to the necessity of protecting the state against the acts of foreigners, would warant a permanent arrangement. He would not, however, propose a measure of a general nature, or one that would permanently alter their system of police. He introduced this measure rather as an exception to the general rule, than as the rule itself; and he would therefore move; —"That leave be given to bring in a bill for further continuing the act of the 56th of Geo. 3rd, for establishing regulations respecting Aliens arriving in, or resident in, this kingdom, in certain cases."

Sir *Robert Wilson* was aware that it was rather unusual to debate a question on the motion for leave to bring in a bill; but the present question was of such a nature as to justify him in coming forward thus early to resist its introduction, and he had the satisfaction to know that many members approved of the course he was about to pursue. An hon. friend of his had intended, in the course of last session, to move for the abolition of the existing act, and he was one of those who advised him against it, under a belief that the government could not think of proposing it to parliament for the fourth time in a period of profound peace. He denied that this measure was introduced to serve British interest and objects; and he believed, that 99 out of 100 of those who thought on the subject were of opinion that it was one of those arrangements made at Vienna, or during the proceedings of one of those ambulatory congresses of sovereigns at which the noble lord had attended, and from which he now found it impossible to recede. It was generally felt that this bill was one of the measures designed to promote an uniform system of police throughout Europe; so that any individual who happened to offend a member of that confederacy which had been denominated "Holy," but which he should always consider most "Unholy," would be unable to escape from prosecution by taking refuge in any other part of Europe.—The noble lord had talked of this as "a preventive measure." Laws, he conceived, were good, as preventives; but those laws never could be good that required them to suspend their constitution. What a contrast did England present, after passing a measure of this kind, when placed in opposition to her former situation and character! It was formerly her glory that she was the asylum of the unfortunate, the refuge of the destitute. It was her boast that she administered the same law to the stranger and to the native. Their rights, and liberties, and interests, were identified with her own—those rights, and liberties, and interests, were recognized in the great, but he was sorry he could no longer say, respected, charter of this country. He knew that the opinion of judge Blackstone and lord Ellenborough supported the doctrine of the noble lord. But he would appeal to a much greater authority—that of lord Coke, who, speaking of that clause in the great charter, in which the rights of aliens were mentioned, where it was declared that they could not be removed "nisi publice prohibiti sint," observed on this passage, "This does not imply that the king has not the prerogative, but that the right of making representation resides in the great council of the nation, the Parliament of England." Let the House look to the conduct of France at the present moment. Instead of enacting laws for driving foreigners from her territory, she had passed a law enabling them to become French citizens, and giving them a full participation in the rights, liberties, and immunities of the French people. As long as the Charter of France was respected, the power of sending aliens out of that country could not be exercised by the sovereign—a fact of which he was assured by the first French lawyers. The course pursued under the Alien act in this country was revolting to manly feeling. Did the House recollect the case of general Gourgaud? Did they remember with what illegality, with what violence, and with what brutal, he would say with what cowardly ferocity he was treated by a person of the name of Capper, on being seized and sent out of the country?—Did they not call to mind how his person was assaulted, and his papers detained, in defiance of law? It was said he made no appeal, but it was a well-known fact that he did make one. When this was stated, what was the answer of the hon. under secretary of state? "Oh," said he, "general Gourgaud demaned to be taken before a magistrate, not before the privy council." What a total perversion was here shown of the law under which that appeal was made! He would now cite a case, which proved what a degree of reproach attached to this country in consequence of the way in which the law was carried into execution. A lady of high rank, of most amiable character, and of irreproachable conduct, devotedly attached to her husband, had followed him to a foreign country, and employed herself in the performance of those duties which were most honourable to her sex. She was at length obliged to leave that country in consequence of the advice of two physicians, who, in their certificate, stated that it was expedient that she should proceed to Europe, and even to England, in order to take the benefit of the Cheltenham waters. This lady was the countess of Montholon. She embarked with her child, who was also in an ill state of health; and arrived on the 5th of September off Margate, in a vessel named the Lady Campbell, commanded by captain Walsh. The ship had no sooner anchored than a galliot came alongside, and it was announced that she conveyed an order from the Alien Office, forbidding the countess to land. Captain Walsh remonstrated, and particularly adverted to the severe sickness of the countess's child. The countess was, however, obliged to proceed to Gravesend, and was ordered immediately on board an old gun-brig that had been given up to the Alien Office. She was ultimately placed on board the Flying Fish sloop, which proceeded to Ostend. Prior to this, Mr. Capper—that gentleman who made so conspicuous a figure in the Police Report—that gentleman who had committed an offence for which he ought to have been sent to prison, on a charge of felony—had been allowed to go to the countess Montholon, whom he also treated with much disrespect. It was a reproach to the Alien-office, after what had appeared in the police report, and after his cruel treatment of general Gourgaud, to allow this individual to remain in the department. The countess of Montholon proceeded in the Flying Fish to Ostend, where she was obliged to land, her child being in a dying state. What was her reception there? It was most kind and humane, as would appear from an extract of a letter, not indeed directed to him, but which mentioned the circumstance? "She was was immediately permitted," said the writer, "to land, and, by the direction of the king, was received with all the attention and regard due to her sex, and to the state in which she was." What a contrast did this present to her treatment here! He blushed for the opinion she must have formed of the character of England, when she compared the hospitable reception she had found on the continent with the cruelty which was exercised towards her here. Did the matter end here? No such thing. He wished it had. The child, which was not allowed to be landed here, died immediately after its arrival at Ostend. He would now quote another case, not as an instance of abuse, for the noble lord had acted with great kindness and humanity on the occasion, but to show what consequences might have resulted under a more rigorous enforcement of the law. A nobleman of high rank, who had held a conspicuous situation under the late government of France, and against whom sentence of death had been passed by the present government, for a political offence, quitted that country with his former sovereign. He was not, however suffered to remain with him, but was sent to Malta, and from thence he went to Smyrna. He afterwards came to this country, being properly provided with a passport. He was told, on his arrival, that he must depart immediately for the distant country whence he came. He happened to have a number of friends in this kingdom, to whom he stated his case. They mediated for him, and the noble lord procured leave for him to reside here for a month. When that period had elapsed, farther term was allowed him; and thus the indulgence was granted for the space of three or four months, till he was enabled, with some premature hazard, to return to his own country, where he vindicated himself from the charges which had been brought against him, and obtained the reversion of that sentence by which he had been condemned to death. But, if this individual had happened to be friendless, he would have been sent out of this country, subject to the greatest hazards as a miserable exile. In this case, too, Mr. Capper made his appearance. He went to the House where this individual resided—to the house of Mr. Wilkinson, one of the most respectable merchants in London, and insisted on going into his bed-room, and overlooking his papers, which he did in a manner the least conciliating or decorous. Such was the impropriety of his conduct, that Mr. Wilkinson sent to the office, declaring that, if it were repeated, he would take forcible steps on the subject. He would again ask, was such a man as this fit to be kept in his situation? Persons were removed, under this act, who had committed no offence against the constitution of England, and who could commit none. He believed there was a case in which foreign interference had caused an individual to be sent out of this country for a libel on a foreign prince. A law of this nature might find some excuse in the military government of Prussia, and still more so in that of Russia, but in England it could have no such apology. And how was it carried into effect? The form of notice when a foreigner arrived in this country was extraordinary. It ran thus:—"You are to present yourself at the Alien-office within a week, to answer certain questions, a neglect of which notice renders you liable to imprisonment for one month." This notice was given not only to men, but to ladies, and even to children of 15 years old; so that a lady came to this country with the dangers of imprisonment before her eyes. The government of the Netherlands now refused to permit any Englishman to land without a pass from the British government; for that he must go to the noble lord's office, where he paid *2l.* 17*s.* 6*d.* for it. A friend of his, after he got his pass, complained to the Dutch consul; the answer was, that the Alien-laws were vexatious to foreigners by their regulations, which impeded and delayed mutual intercourse, and therefore similar impediments might be expected in return. The noble lord had stated that there were 25,000 foreigners in this country. This body was by the proposed bill to remain entirely subjected to an arbitrary power. He hoped that no Englishman would think, because they were foreigners, that the exertion of an arbitrary power over them did not signify any thing, because he was sure that those who looked lightly to the operation of an oppressive system with respect to others, would ultimately be sacrificed to a similar system themselves. The noble lord said, that the presence of those 25,000 individuals called for this bill; but the revocation of the edict of Nantes introduced a greater number, and yet there was no Alien-bill then. Indeed they never had such a measure until the late war, and until the present time they had not heard of what was called a peace Alien-bill. Foreigners looked upon it as a measure directed against the independent sentiments of a free people; but the victors to-day might be the vanquished tomorrow, and were they prepared to meet the exertions that might be made against our manufactures and commerce by those whose feelings were outraged by this measure? The people of the continent no longer looked on England as a place of refuge, but Spain had gloriously elevated herself by affording an asylum to the persecuted. Though he had no hope of succeeding, he would certainly take the sense of the House on the question. He did not care what the numbers might be, but he would do so with a view to show that he considered this not only as an unconstitutional and anti-British, but as an anti-European measure.

Mr. *C. B. Wall* said, that in the year 1715 aliens were protected by a commercial treaty. It had been observed, that there had been no abuse of the powers conferred by this measure, and it had been replied from the other side that there had been abuses committed. But, conscientiously acting, he must vote on the merits of any question, not upon the character and conduct of an administration. Such a power must at all times have the effect of bringing odium and responsibility on ministers. Under such an act ministers must often interfere, when, perhaps, they would rather remain quiet. Perhaps their interference would often arise from the over-zealous conduct of their own officers towards foreigners. He would not enter into any argument on the law of the question, nor would he discuss at length the general policy of it; but he would ask the House to consider what was the general opinion of foreigners respecting the Alien-act. He did not allude to opinions received from the diplomatic corps, or from attendants on foreign courts, but he appealed to all gentlemen travelling through foreign countries, whether foreigners ever mentioned the British government and the British constitution, without expressing astonishment, that such a measure as this could be proposed by a British ministry, and sanctioned by a British parliament. The noble lord had stated that there were 25,000 foreigners in this country. He begged the House to recollect the situation in which all those persons were placed by this bill; he begged them to recollect with what feelings they must look around them upon a nation, free, and jealous of freedom, yet subjecting them to such a law. In the land of liberty and law, they found that the people with whom they lived would not impart to them what they themselves enjoyed. He combatted the apprehension, that foreigners might become spies and informers, by the fact that Buonaparté had always employed disaffected natives, and that every government inclined to watch our movements, must have recourse to the same means. Ministers, in proposing this bill, introduced a principle unknown to the British constitution. It was absurd to establish such a power in a free country: in a despotic government it might be intelligible and useful; but in a free country, no sooner was any project started than it was discussed, and therefore such secret and summary steps were never necessary. If such a measure as this had been in any view called for at a former period, the year 1820 was favourable for discontinuing it, and for reverting to the just principles of our constitution.

The *Solicitor General* said, he should not have risen upon the present occasion were it not for some observations that had fallen from the gallant general, and the statement made by him with respect to the abuse of the law. Had it been abused, as the gallant general said, there would certainly be a strong ground for opposing the motion; but the charges brought forward had not the slightest foundation in truth. With respect to the case of general Gourgaud, it was, on a former occasion, brought before the House in the shape of a petition. All the statements now made by the gallant officer were then advanced, and they were every one contradicted. No answer was given to that contradiction. If the charges could have been made out, it was the duty of those who brought them forward to appoint a day for taking the allegations of the petition into consideration. That not being done, was sufficient evidence that those allegations could not be supported by proof. The gallant officer himself, took great pains to ascertain the truth. He wrote to a person at Harwich, and put various questions as to the treatment of general Gourgaud. These questions were all answered, but the answers were never brought under the consideration of the House. General Gourgaud was allowed to go before a magistrate at Harwich. Gentlemen were permitted to visit him while there; and if he had any ground for complaint, he had full opportunity of proving it.—It was not true that he paid the expenses of the officers who attended him: he paid his own expenses, but he insisted on doing so; and he had instituted no complaint of improper conduct on the part of the officers. Yet, when the case was before the House, the gallant general had not had the candour to state what he had done, or what had resulted from his inquiries. Had the charges in the petition been brought forward, they could have been most triumphantly refuted. He would undertake to say, that every statement in the petition was a falsehood. When Mr. Capper, with his assistants, entered the general's lodgings, and was proceeding to the performance of his duty with propriety, he perceived him endeavouring to get hold of a case of pitols on his chimney-piece. Some force then became necessary. He insisted upon having his papers. They were given to him, and he put his seal on them. He then refused to go with the officers, and threw up the window, calling out "Murder, thieves!" Under such circumstances, some force, of course, became necessary, but no more was used than was indispensable for securing his person and preventing mischief. All this would have been proved if the allegations of the petition had been gone into. Was the House now to believe them on the mere assertion of the gallant general? As to the other cases alluded to, they were never before the House in any shape, but he would take upon him to say, whatever reports might have gone abroad, that the countess Montholon was treated kindly, and that if the case were brought forward, every charge made by the gallant general could be satisfactorily answered. The gallant general had insinuated that the present bill was proposed as part of the measures agreed upon by the Holy Alliance. He would beg of the House to mark the inconsistency of his reasoning. England was no party to the Holy Alliance, and yet, according to him, this bill was to be attributed to it, while France, which was a party to that alliance, adopted no such measure. He would contend that such was the natural inference from the gallant general's reasoning, and such the contradiction that necessarily arose from it. He denied that this question was not to be considered with reference to law. He must contend, and he would now assert without fear of contradiction, that the power of sending foreigners out of the country was the undoubted right of the Crown. If such was the case this could not be called a new law, but mere matter of regulation. How was this assertion to be supported? He was not prepared to go fully into the proof, as he did not expect the discussion would so soon take place, but he recollected sufficient to know that for 200 years back this power was exercised by, and admitted to reside in the Crown. It was acted upon in the reign of Queen Elizabeth, and also in that of King William, a time of profound peace. He heard it said, indeed, that they were now too much in the habit of recurring to ancient precedents for the present law. This he would contend was a legitimate course of argument; but were there no novel authorities upon this subject? What did that great lawyer sir William Blackstone say? He laid it down in the broadest and most unequivocal terms, that the king had the power of sending foreigners out of the country in time of peace. How then did the case stand? He (the solicitor general), had ancient usage, law, and authority on his side. He had the authority of that distinguished person sir William Blackstone, the authority also of lord Ellenborough. The gallant general argued this question as a lawyer; and said, that he had the authority of Magna Charta. The passage, however, alluded to, was not properly stated. It had no reference to such aliens as those contemplated by the present bill. In the time that Magna Charta was drawn up, foreign merchants were allowed to remain only a short time in the country. With respect to ingress and egress, they were treated in a most arbitrary way, and subject to heavy exactions. Their case alone was that referred to in the passage quoted, and it was intended for their protection. He did not assert this rashly. The question was not new. It had been argued over and over again. In the very same page where sir William Blackstone set out this passage from Magna Charta, he asserted also the power of the Crown to send foreigners out of the country. This showed to demonstration that he did not interpret it in the same sense as the gallant general. So far as to the law of England. Now, what was the general law of all countries with respect to this point? Puffendorf, Vatel, and every other writer on the law of nations, that he had looked into, admitted that, in every state, a right of sending foreigners out of the country resided in the sovereign power; and on that part of the subject he appealed with confidence to his hon. and learned friend opposite, who was eminently acquainted with questions of this nature. Every one of those writers vested this right in the sovereign power. That power in this country was in the legislature. But it was vested, for the sake of convenience, propriety, and necessity, in the executive; otherwise the power would be inoperative for six months every year. He would take an analogous case. Who granted letters of licence or safe conduct? The sovereign power of the state. If such was the case in every country, it was a matter of course, that in this, such powers should be vested in the executive. The present bill was only a provisional regulation, and he would ask, if the authority to be conferred under it, could be more mildly exercised than it had been? It was objected that such measures tended to injure our character with foreigners. In opposition to this, he would venture to say, if the cases were all examined, that out of the 25,000 aliens now in this country, at least two-thirds of them—he was told all—came here under the operation and faith of this bill. Only nine had been sent away since the passing of the act now proposed to be revived. It might be said, that this proved the measure not to be now necessary. In that conclusion he could not acquiesce, even though the number had been smaller. If those nine cases were fully stated to the House, he felt confident that there was not one, to the propriety of which they would not immediately assent.—There never was a period, in the history of this country, when foreigners were treated with more generous and attentive benevolence, or with more enlarged humanity; never a period when their rights were held more sacred, or when they enjoyed more liberty than since the passing of the Alien bill. He would conclude by again asserting, that it was the ancient prerogative of the Crown to send aliens out of the country. He would not now trespass further on the House, but he had no doubt that he should on a future day be able to bring precedents to justify the opinions he had advanced.

Sir *James Mackintosh* said, that at so late an hour of the night, and so much exhausted as he felt himself, he should have been unwilling to say any thing on a subject on which at former times, and at great length, he had felt it necessary to trespass on the indulgence of the House, had not his opinion been specially called for by his hon. and learned friend in a manner for which he was certainly very grateful. As that had been done, he should now on the first stage trouble the House with a few words on a measure, to every stage of which he should offer his most decided opposition, reserving for a future occasion a more detailed statement of his reasons. In making these observations it was not his intention to enter into a controversy as to particular facts, arising from the cases which had been mentioned by his gallant friend; in the first place, because he was not acquainted with the circumstances of those cases, and must, therefore, leave it to those who were; and in the next place, because the discussion of particular instances of abuse might tend in some degree to weaken the argument against the measure. In his opinion, the mischief and malignity of this measure was, that it necessarily was the instrument of injustice in the hands even of those who least intended to abuse it. The most conscientious ministers of such a power must necessarily, at times, be made the dupes of misinformation, and the tools of private malice. It is thus put in the power of accident or individual hostility to inflict the utmost injury and oppression. He had viewed the measure since the peace not merely with jealousy;—he had viewed it with abhorrence. He had viewed it as one of the most odious deviations from the ancient and liberal system of our laws that formed a part of our modern legislation. It was (as had been well expressed by an hon. gentleman who had spoken that night for the first time with such credit to himself—who had shown the force of principle getting the better of political partiality on a particular subject, while he retained his general attachment to the persons with whom he had been accustomed to act) a measure for reducing to slavery 25,000 of the inhabitants of this island—a measure for depriving 25,000 persons of all the benefits of our free constitution. This, with the noble lord, was an argument in its favour. He stated the number of the persons to be outlawed as an argument in favour of the outlawry—he stated the number of the victims as an argument for the oppression; but as to this numerical argument, this argument, in which the feelings of our ancestors, who would have gloried in the number of fugitives which our laws and manners had attracted, were reversed and made reasons for oppression,—was the noble lord aware what the average number of aliens in this country during the last 30 years had been? Not less than 23 or 24,000. It was then the accidental presence of two or 3,000 foreigners beyond the average in one half year, to be diminished again after the passing of this bill, that was to justify the measure. His learned and hon. friend had said that the power of expelling alien friends must belong to the supreme power of a state. He (sir J. M.) most fully admitted that the power of expelling foreigners must belong to the supreme power of every state, savage or civilized. Nay, he would go farther, and admit that it was impossible to conceive a sovereign power which had not the power of banishing even its own subjects. His hon. and learned friend therefore needed not to have made all his parade of jurists to prove that a supreme power must be supreme over foreigners in its dominions. His hon. and learned friend had quoted from sir W. Blackstone the only part of the valuable work of that learned person, into two or three lines of which, falsehood and absurdity were crowded. Sir W. Blackstone in that passage began with quoting Puffendorff—a German jurist—a writer under a despotic government — as an authority as to the prerogative of the Crown of England, and his hon. and learned friend had not been ashamed to adduce that, for the twentieth time, exposed and exploded passage. But his hon. and learned friend had forgotten to state, that in the passage in question, sir W. Blackstone asserted not only that the king had a power to send aliens out of the kingdom, but to send them back to their respective countries. Was there a general right of this kind? Was there any authority or pretext of an authority for stating that there was any right, not only to eject aliens from our own country, but to prolong the exercise of sovereignty over them when they were out of this country, to send them back to any country, however distant, and to throw them into the jaws of the persecutors from whom they had sought refuge? His hon. and learned friend had also talked of the great authorities of the present day. Those great authorities, however, were all parties to the system of the Alien laws, and they certainly had rested on so rotten a foundation, in part, at least, that a great portion of their superstructure must necessarily fall to the ground. The only precedents which could be found by those great authorities were in the reign of queen Elizabeth, and they were dug out of the Paper Office so late as 1816. The bill had gone through the Commons before those precedents were thought of, and in the other House the question was argued with as much learning and eloquence as had ever been displayed on any subject; so that towards the end of its stages these great authorities found it necessary to set their agents at work, and these precedents were found. They were two proclamations issued in the reign of queen Elizabeth, commanding Scotsmen, who were then aliens, to quit the realm. If Scotsmen were still in the same condition, and were liable to exile, the House might be content to accept the bill, in consideration of the persons on whom it was to be exercised; but that at least could not now be done, and whatever measures they might take as to aliens, they must be content to endure the presence of Scotsmen. Two years after 1818, these proclamations were quoted in that House, and he (sir J. M.) had given what he conceived a sufficient answer. But since that period he had found one still more decisive. There was a certain statute of the 7th of Henry 7th, authorizing the Crown to expel Scotsmen by proclamation, and imposing on those who did not obey the proclamation in forty days, forfeiture of their goods; a penalty which would not be thought a heavy one in the case of Scotsmen, though it might be too, after they had sojourned some time in England. This statute was repealed on the accession of James 1st, together with all the statutes hostile to Scotland. In the reign of Elizabeth, however, it was in full force and observance, so that those proclamations, instead of being a proof that the Crown could exercise such a power without the authority of an act of parliament, were a proof of directly the contrary fact. This doctrine then, of the power of the Crown over aliens, which was now brought forward amidst the light and liberality of the 18th century, was not breathed under the most despotic of the Tudors, and the subservient lawyers and statesmen of Henry 7th had not ventured to assert what the lawyers and statesmen of George 4th now asserted. It was sometimes made a matter of complaint that we did not look with sufficient reverence to our ancestors; he wished modern politicians, by the contrast of their propositions, would not force them so often to look back to the acts of our ancestors with regret. In this act, even of the time of Henry 7th, was contained not only a recognition that the Crown possessed no such power, but 40 days were allowed to the foreigners to leave the kingdom. What would be said now in favour of the summary power of the present bill, by which a woman was dragged from her bed, by which foreigners were forbidden to land, when even the statesmen of Henry 7th allowed so long a time? He conceived no answer could possibly be given to the citation of this statute. If the royal proclamations were issued, the Scotsmen who remained in defiance of the proclamation were punishable under that statute, but not otherwise; so that there was not an idea that the king at common law had the right to issue the proclamation, or that it was a common law offence to disobey it. It was stated, that the reason for the present law was, that the king's proclamation might not be disobeyed. What was that but an admission that we were to legislate more sternly, more severely, and more suspiciously than Henry 7th, the Tiberius of our history, yet whose politics never made it necessary to have recourse to such summary proceedings? His hon. and learned friend had argued that the doctrine advanced against the bill was inconsistent with itself. He would retort a challenge on the challenger. If the king had the power by proclamation to expel aliens from the country in time of peace, the disobedience of that proclamation would necessarily be at common law indictable. Where, he asked, in 500 years, from the first volume of the year books to the present time, was there an instance of any indictment for such an offence? This was the touchstone of the assumed power, and by this criterion it would be found wanting. He denied that the supreme power of this state was in the King alone, but in the King, Lords, and Commons. In them was the general exercise of the sovereign power; the king only possessed such branches of it as by immemorial usage had been proved and allowed to be vested in him. The king in parliament was the sovereign power. This was a proposition which he was almost ashamed of stating, for it was only as much as saying, that we lived under a free government, under a limited monarchy. His hon. and learned friend had, however, maintained that by the constitution it was left to the king to conduct all matters with respect to foreigners. This proposition was incorrectly stated. It was left to the king to conduct all the relations of the country with foreign states. But individual foreigners while in this country had a definite right. They were entitled to trial by jury. The law, till this accursed system of alien acts was introduced, regulated the conduct of the country towards resident foreigners. Alien friends were temporarily subjects of the king; they owed temporary allegiance, and were entitled to temporary protection. Although it was true that the right of making peace and war, and entering into other regulations with foreign states, rested in the Crown; the same right did not extend to its relation with foreigners residing in England. The analogy entirely failed; the whole argument founded upon it consisted of a play upon the word "foreigner," and the conclusion attempted to be drawn was one decidedly hostile to the best principles of our constitution. As to those aliens who had come into this country during the war alien acts, who were thus said to have a clear foresight of the laws to which they were subjecting themselves, he wished to ask whether any one in 1814 would not have considered as a libel upon the country, a prophecy that those laws would be continued in time of peace? They had been declared to be laws justified by extreme danger, and intended to cease with that danger. His hon. and learned friend had borrowed from an eloquent speech of a right hon. friend of his, in 1818, an eulogium on the liberality and generosity of the nation towards foreigners. He (sir J. M.) was happy to say that the new-fashioned principles of the government had not tainted the generosity of the people, that they were liberal and hospitable in spite of the bad example which had been set them. In this it might be said that the people were more wise than the laws—he would, however, say only a part of those laws—for the general system was as good as a nation could possibly enjoy. The people, however, certainly now showed themselves to possess more liberality than their rulers, and more of the spirit of humanity of the age than was to be found in the measures of parliament. How little value soever his hon. and learned friend might set on the character of this country among the other nations of Europe, or how much soever he might deride their distrust of our policy, repugnance to this measure was undoubtedly universal among the disinterested nations of Europe, and distrust of our policy existed and was spreading to a mischievous extent. For the reasons he had urged, he never gave a vote with the more hearty approbation of his conscience, or a more perfect concurrence of all the feelings of his nature, than he should now give his vote against the proposition of the noble lord in this the very first stage of a bill, which, he agreed with his gallant friend, if now passed, would be continued for ever; for, he put it to the House, whether, if they consented to the bill as now proposed, it would not be continued from time to time, until the arrival of that period of general and profound peace which existed only in the dreams of poets, and which had been well ridiculed by a German philosopher, who placed the motto "*Pax perpetua*" on a tomb-stone.

Mr. *Lambton* did not intend to occupy much of the time of the House. He only rose for the purpose of remarking on some observations which had fallen from the hon. and learned solicitor-general. He did not remember whether that hon. and learned gentleman was in the House at the period of his (Mr. Lambton's) presenting a petition to which he had alluded. If he were he must have grossly misunderstood what he had said on the occasion; or if he had not, he must have received a most erroneous account of what had occurred. At the time when he presented the petition from general Gourgaud, in 1818, he had asked the noble lord to consent to a committee, in which he would pledge himself to bring proof of the facts stated. The noble lord refused that committee; and he (Mr. Lambton) did not attempt to bring the matter again forward, because he knew it would be of no avail without the committee, and, aware of the manner in which the House was constituted, he well knew that it was hopeless to expect that when the noble lord had refused his consent. As to the statements now made, they rested on the credit of the petition, or on that of the hon. and learned gentlemen—which of them the House might believe, he would not pretend to say, but he thought the one entitled to as much respect as the other. The hon. and learned gentleman had stated, that general Gourgaud had seized his pistols when the officers approached to arrest him;—that might be true—but was it not natural for a man of his rank, to attempt to defend himself when he had been so intruded upon by strangers? It was also true that the general was allowed to seal his paper—but it was likewise a fact, which had been ascertained on the authority of the consul at Hamburgh, that that seal had been broken, and the portfolio returned the general opened. As to the questions of which the hon. and learned gentleman had talked so much, he believed that some questions were put concerning the treatment of general Gourgaud, but he did not think to the extent that had been described. It was true, notwithstanding the boasted indulgence which had been shown to the general, that he had not been allowed to see his friends. He stated thus much to show his reason for not having followed up the subject after its first introduction, and he trusted that it would not be imagined that he was one who would withdraw from any object connected with his duty in that House, while he could follow it up with effect. As to the question now before the House, he maintained that it was a departure from the principles of the constitution—that it was one of the results of that holy alliance—and that the government considered itself bound by it to surrender up to foreign governments those of its subjects who might have taken refuge amongst us, as the instance of a gentleman who had been sent out of the country at the request of the government of the Netherlands, respecting whose case he had moved for papers which had been refused. Even the despotic James 2nd afforded protection to aliens, but the noble lord acted in this way to secure for himself a high character in foreign countries. He should certainly vote against the motion, as he conceived the bill incompatible with the dignity of this country.

The *Solicitor General* begged leave to say, that Mr. Capper apprized general Gourgaud of the nature of his business before he arrested him.

Lord *Castlereagh*, in reply, said, that he did not recollect the case with the government of the Netherlands to which the hon. member for Durham alluded. When Las Casas was sent out of this country, it was not with any view that he was to be taken into custody on his arrival in the Netherlands. As to the Holy Alliance, he denied that this country was a party to it in any diplomatic sense of the word. There was no understanding connected with it by which we were to send obnoxious foreigners out of the country. On the contrary, he thought that other countries had a right to complain of the indulgence shown to foreigners, considering the powers which this law placed in our hands. He never heard any government complain of the act, or adopt any measures hostile to the passages of Englishmen through their kingdom in consequence of it. Certain regulations had been made as to the passports of Englishmen by the government of Sweden and the Netherlands; but it arose from the internal situation of this country at the time; and on the earliest representation which he had made of the inconvenience which was thus occasioned to English travellers, it was done away with in Sweden, and was not now acted upon by the government of the Netherlands. He could assure the House that this did not arise from a spirit of retaliation, for any measure which we had adopted.

Mr. *Lambton* stated, that he had, in 1818, moved for the papers respecting an alien sent out of the country at the request of the government of the Netherlands.

The House divided: Ayes, 149; Noes, 63.

List of the Minority.

Althorp, viscount
Baring, Alex.
Barnard, viscount
Barrett, S. M.
Beaumont, T. W.
Becher, W. W.
Baillie, colonel
Calcraft, John
Caulfield, hon. H.
Creevey, Thomas
Clifton, viscount
Colburne, N. R.
Denison, Wm.
Denman, Thos.
Dundas, Thos.
Duncannon, visc.
Ebrington, viscount
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord C.
Folkestone, visc.
Graham, J. R. G.
Graham, Sandford
Harbord, hon. E.
Heron, sir R.
Hughes, W. L.
Hughes, col.
Hume, J.
Hutchinson, hon. C.H.
Jervoise, G. P.
Lamb, hon. W.
Lloyd, sir Ed.
Lushington, Dr.
Maberly, John.
Maberly, W. L.
Mackintosh, sir J.
Milton, viscount
Monck, J. B.
Newport, sir J.
Osborne, lord F.
Ossulston, lord
O'Grady, S.
Palmer, C. F.
Pares, Thos.
Parnell, Wm.
Philips, George
Price, Rt.
Ramsden, J. C.
Ricardo, David
Robinson, sir G.
Robarts, George
Russell, lord John
Scarlett, James
Scott, John
Sefton, earl of
Smith Robert
Stuart, lord J.
Sykes, D.
Spurrier, C.
Tierney, G.
Wall, T. B.
Ward, hon. J. W.

TELLERS.

Lambton, J. G.
Wilson, sir Robt.

HOUSE OF LORDS.

Friday, June 2.

FAILURE OF BANKS IN THE SOUTH OF IRELAND.] The Marquis of *Lansdowne* wished to ask the noble lord opposite whether his majesty's government had received any information on the unfortunate situation in which the south of Ireland was at present placed. The greatest distress, he understood, prevailed throughout the southern districts of that country, owing to the failure of some of the banks, which deprived persons in business of all means of carrying on trade. One principal bank had failed for about 300,000*l*., and would not, it was supposed, pay a shilling in the pound; and the others were not yet in a condition to go on in the ordinary course of their business. In this state of extraordinary embarrassment, he could not help hoping that the Bank of Ireland would be able in some degree to prevent the calamity from increasing, and he wished to know whether his majesty's government intended to take any steps for that purpose.

The Earl of *Liverpool* was in some measure apprized of the unfortunate circumstances to which the noble marquis had alluded, but he had as yet received no official communication on the subject. He was, therefore, not prepared to say what it might be thought advisable to do, or whether his majesty's government would think fit to interfere in the case.

The Earl of *Lauderdale* expressed his regret at the distress to which the question of his noble friend referred, but was at the same time of opinion, that no precedent more fatal in political economy could be set than that of the interference of government in the credit of the country by holding out assistance to individuals. The Bank of England had, in cases of commercial distress, sometimes interfered, because it was its interest to support commercial credit, as far as support could with propriety be given by that establishment. Let the Bank of Ireland therefore imitate the conduct of the Bank of England, and act in the business on commercial principles.

The Marquis of *Lansdowne* assured his noble friend that he was far from calling for the direct interference of his majesty's government. All that he meant to suggest was, that in case the Bank of Ireland should be desirous to do that which its own interest dictated, namely, to supply the vacuum in the circulation occasioned by the failures to which he had alluded, government would not withhold such assistance as might be necessary to facilitate the operations of the Bank. The necessity of the case was great, as at present, where the failures had taken place, there was no circulating medium, and no means of barter or carrying on trade. He was, however, certainly very far from wishing that his majesty's government should interfere to give assistance in the way his noble friend supposed.

HOUSE OF COMMONS.

Friday, June 2.

TIMBER DUTIES.] General *Gascoyne* presented a petition from some merchants, ship-owners, and others, in Liverpool. The prayer of the petition might appear somewhat inconsistent, as it favoured a relaxation of the Navigation laws, and yet opposed any alteration of the acts respecting foreign timber. They expressed themselves much interested in not narrowing their trade with our North-American colonies. He should say no more at present upon the subject, reserving himself till a city member, who had given notice of a motion connected with this question, should bring the subject fully under discussion.

Sir *Isaac Coffin* observed, that the statement of the petitioners was quite incorrect. Instead of the timber, as they alleged, being colonial, and which was imported into this country from Quebec, the fact was, that such timber was the growth of the north-west part of the province of New York. He had himself written to lord Bathurst on the subject, for such was the effect of that trade between our American colonies and the United States, that in the last war our colonies were wholly drained of silver. The sooner a duty was put on the importation of that timber the better. We had, by the preference given to that trade, lost a good customer in Russia and the other Northern States.

General *Gascoyne* said, that as far as the knowledge of his constituents went, they believed the timber imported from the British American Colonies to be their growth. It was also to be recollected, that the return sent from this country in payment of that timber was in salt, to the amount of 40,000 tons.

Ordered to lie on the table.

MARRIAGE ACT AMENDMENT BILL.] This Bill was committed, and considerable discussion arose respecting the *ex post facto* operation of a clause, legalizing marriages of minors where no suits had been commenced for avoiding them within six months after the attainment of twenty-one.

Dr. *Phillimore* cited several cases of infinite hardship occasioned by nullity of marriage in consequence of minority.

Mr. *Wrottesley* moved an amendment to the effect, that parties so circumstanced should have six months after the passing of the bill within which suits might be commenced though both parties had attained majority.

After several observations from Mr. Wynn, sir J. Nicholl, and Dr. Lushington, a division took place, when there appeared, For Mr. Wrottesley's Amendment, 50; Against it, 43: Majority, 7.

Mr. *Bennet* proposed a clause which had been suggested last year, but not adopted, to deprive persons of full age who should marry minors, of the power of annulling such marriages by suits instituted by themselves, at any time or under any circumstances on the ground of minority. The licences were in most cases obtained by the wilful perjury of the adults, and it was therefore highly improper that they should be at liberty to derive a double advantage from such perjury, first, that of accomplishing the marriage, and next, that of avoiding it.

Sir *John Nicholl* opposed the clause as contrary to the principle of the Marriage act, which rendered inoperative marriages so contracted, with respect to all the parties. This proposal had, it seemed, been rejected last year, and he thought correctly.

Mr. *Tennyson* said, that although it was not without becoming hesitation that he differed from the right hon. and learned judge upon such a subject, yet as he thought that the purport of the clause had been misunderstood, he did not despair of satisfying him of its propriety. In the first place, it had not been before rejected, as the right hon. gentleman supposed, for he (Mr. T.) was the individual who had then brought it forward, and had merely withdrawn it at the instance of the hon. and learned member who introduced the bill, lest, though he knew not why, it should not be acceptable in another place. Next, he thought, that so far from being at variance with the principle of the Marriage act, it was precisely correspondent to that principle, which was a principle of protection to minors against indiscreet connexions. It was amply sufficient for this object to enable the minor to avoid the marriage, without leaving the adult at liberty to do so, and thus to expose such minor, who was most commonly the female, to more than the mischief of contracting an improper marriage, namely, to the risk of being afterwards abandoned with a family of children to shame and disgrace. It had occurred too frequently that a designing miscreant had thus sacrificed an innocent victim to his lust; and he trusted the legislature would no longer tolerate practices, which, independently of what had been justly observed respecting the perjury attendant upon them, were not only repugnant to morality and decency, but, as he conceived, to the principles of the Marriage act itself. He should therefore cordially support the clause, and entreated the concurrence of the learned judge.

Sir *John Nicholl* said, that he certainly had misunderstood the purport of the clause, but now comprehending its object distinctly, he entirely acquiesced in its propriety.

Dr. *Lushington* observed, that the clause required some alteration, and it was in consequence ultimately postponed in order to be introduced in a subsequent stage of the bill.—The House then resumed, and the report was ordered to be received on Thursday.

PROTECTING DUTIES — IRELAND.] Mr. *Curwen*, on presenting a petition from the woollen cloth manufacturers of Keswick, took occasion to remark upon the state of their trade, observing, that the petitioners deprecated the intention, which they understood existed, of continuing what were called the protecting duties upon Irish linen.

Mr. *V. Fitzgerald* was averse to protecting duties, and would oppose their imposition, if they were now about to be laid on; but he thought that the manufactures of Ireland ought to meet with encouragement as well as those of England. He wished his right hon. friend would state what course it was his intention to adopt, for that would serve to remove from the minds of the manufacturers in Ireland that suspense, which was highly unfavourable to them.

The *Chancellor of the Exchequer* observed, that the subject was at present undergoing a special inquiry; but he had no hesitation to state, that it was not in his contemplation to propose the immediate repeal of the duties alluded to. Those duties had existed since the Union for the advantage of the Irish manufacturers, and it was proposed to continue them for some years longer, upon a principle of gradation, in order to afford the parties immediately interested an opportunity of preparing for their total repeal.

Mr. *W. Parnell* thought a system of protecting duties inconsistent with the sound principles of political economy, as they could only be meant to force a manufacture. The duties alluded to had, however, existed in Ireland for 20 years, and if that period were not sufficient to afford the Irish manufacturers an opportunity of preparing for their repeal, what assurance was there that their further continuance, or that any proposed principle of gradual reduction, would have the effect which the right hon. gentleman professed to have in view?

Mr. *Ricardo* observed, that it seemed to be admitted on all sides, that these protecting duties ought to be repealed. They had existed for 20 years, which surely was a period quite long enough to give the Irish manufacturers an opportunity of preparing for their repeal, if any such opportunity were necessary; and he really could see no reason for their further continuance.

Lord *Castlereagh* said, that the proposition of a gradual repeal of these duties was deemed necessary, to afford time to the parties immediately interested, to prepare for their ultimate and complete repeal, which it was in the contemplation of his majesty's ministers to propose.

Mr. *Hutchinson* expressed his concurrence in sentiment with the hon. member for Portarlington, as to the principle of protecting duties; and if the duties under consideration were now for the first time proposed, he apprehended that few would be found to support the proposition. But from local knowledge, as well as from general information, he was enabled to say, that the immediate repeal of those duties would be productive of the worst effects in Ireland. It was therefore wise on the part of ministers to determine upon some further continuance of that degree of protection to the trade of Ireland which these duties afforded, as that trade was known to stand so much in need of encouragement. It was very desirable that those engaged in this trade in Ireland, should not be kept much longer in suspense as to the intention of the chancellor of the exchequer; for as the duties alluded to were not long to continue according to the existing law, the parties interested felt it difficult to decide what course to pursue.

Ordered to lie on the table.

Army Estimates.] The House having resolved itself into a Committee of Supply, to which the Army Estimates were referred,

Lord *Palmerston* rose to move the Army Estimates. In proposing those estimates to the committee, he did not feel it necessary to go through an explanation of each particular item: he would confine himself chiefly to those in which there was any material variation from the charge of last year. The committee would perceive that there was this year an increase of force, amounting, including officers, to 11,745 men, making an increase of 220,000*l.* There was also an increase of regimental charges amounting to 363,647*l.*, and on the miscellaneous services of 64,000*l.* The noble lord stated the reasons for these increases in so low a tone as not to be audible in the gallery. We understood him to say, that in the recruiting service there was an increase of 5,319*l.*; last year it had fallen short, and, considering the number of deaths and desertions, an addition of 5,000*l.* was deemed necessary. On the other hand, some reduction had taken place in the pay of certain officers in the barrack department, from 1*l.* 15*s.* to 1*l.* 10*s.* per diem. He saw some hon. members smile at this, but he only mentioned it to show that a real desire to economize existed on the part of his majesty's government. When reductions were not made, it excited the clamour of some of the gentlemen opposite; and when they were made, it served only to excite their ridicule. In the staff there was a decrease of 13,000*l.*; it had been found necessary to increase the number of general officers by two in England, and one in Scotland; and these had their respective establishments of aides-de-camp. A small diminution had taken place in the medical establishment, from the number of invalids who had been taken off the hospital establishment. In the contingencies of the English staff there had been an increase of 2,305*l.*; in the Irish staff there had been a diminution of 3,000*l.*, owing to the reduction of the number of general officers in that country. But, since those estimates had been made out, it had been found necessary to add one major-general to the number of the Irish establishment, which was not at present included. [Here the noble lord was seized with sudden indisposition, which for some time prevented his proceeding. He resumed his seat for a moment, then again rose and addressed the House; but, after two or three ineffectual attempts to proceed, his indisposition seemed to increase, and, by the advice of some of his right hon. friends, he sat down without bringing the estimates to a conclusion.]

Ordnance Estimates.] Mr. *R. Ward* rose, in consequence of the indisposition of his noble friend, to move the Ordnance Estimates. The right hon. gentleman began by stating, that although many persons were of opinion that our military establishment was too large, he was persuaded that it was not greater than the circumstances of the country demanded. The increase of expenditure in the department with which he was connected, amounted on the whole to 133,000*l.*, and for the sake of greater clearness he would divide the different heads of expenditure into three classes. The first class was composed of such articles of increased expenditure as were the necessary consequence of regulations, which had either been approved by this House, or in some instances sanctioned by the laws of the country. The second consisted of those articles which were rather matters of arrangement than of additional expense; the third was composed of those items which certainly added to the expenses of our military establishment, but which were justified by the circumstances of the times. The first head he would mention was one of 10,000*l.*, composed partly of the amount of the increased expense of the ordnance military corps, and partly of other items which it was not in the power of the House to control. There was another item of 3,000*l.*, being the amount of gratuities granted for increased services and good conduct to persons in the civil department. The principal source of the increased expenditure was that arising from the additions to the half-pay establishment and to superannuations. These items amounted to 55,000*l.*, which was nearly half of the excess which he had set out with stating to the House. The second class, which consisted rather of matters of arrangement than of additional expense, was confined to the military contingencies of the ordnance establishment. In the miscellaneous charges was an item of from 25 to 26,000*l.* for allowances of bread, money, meat, beer, coals, &c., the excess under this head amounting to 3,500*l.* Among these items was one to which he flattered himself the House would most cheerfully accede, he alluded to a sum of 6,000*l.* charged to the body of the account for the expenses of the trigonometrical survey, which was commenced under the auspices of the late general Mudge. Under the head of unprovided services in the ordnance department the amount stated was 40,000*l.*, though the real amount was not more than 25,000*l.*, and this arose from there being balances in hand equal to the difference of those sums. The third head consisted of those items which constituted an absolute addition to the expenses of the ordnance department. Against these additions it would be necessary to set the savings which had been made in this year; not less than 19 establishments in this department, the expense of which amounted to 500*l.* per annum, had been put down. Eight establishments in the West Indies, enumerated in the estimates, had been completely put down. These sums added to the former made a saving in the ordinaries of 5,000*l.*, and in the extraordinaries of 11,000*l.*, making a saving in the whole of 16,000*l.* After deducting this sum the whole amount of the increase of expenditure would be 133,000*l.* The right hon. member stated, that he was ready to answer any questions, and to give any explanation which might be required upon the subject, and concluded by moving, "that a sum of 293,694*l.* 8*s.* 8*d.* be granted to his majesty in full of the charge of the office of ordnance for land service, for Great Britain, for the year 1820."

Mr. *Hume* thought that, in calling the attention of the committee to the amount of these estimates, he should save the time of the committee, if, instead of entering into minute particulars, he looked at the total amount under each head. The object of the committee should be, to see what was the total expense of the ordnance service for this year, compared with that for the last; and whether the circumstances of the country were such as to warrant the present amount. With this view he should take the simple method of showing the difference between the estimates of the last and the present years, rather than follow the plan which had been taken by the right hon. gentleman in laying his statements before the committee. In the year 1819, the total of the ordinary expenses had amounted to 527,397*l.*; but in 1820 they amounted to 548,304*l.*; making an increase of more than 20,000*l.* Then, on the score of extraordinaries, he wished the right hon. gentleman had stated all the items of increase, that the committee might have heard the grounds on which they were deemed necessary to the service. It appeared, however, that the total for last year was 220,824*l.*; and for this year, 280,389*l.*, making an increase of more than 60,000*l.* on the extraordinaries for the year 1820. The total amount of ordnance expenses for Ireland last year was 101,000*l.*, but this year it was 111,986*l.*, leaving an increase of nearly 11,000*l.* The result, therefore was, notwithstanding all that had been said about economy, that the total extraordinaries and ordinaries for Great Britain and Ireland, which amounted in 1819 to 849,230*l.*, amounted in 1820 to 940,680*l.*, making an increase of 91,450*l.* for the present year. Now with regard to the other three items of the estimate, he observed that the amount of half-pay and compensations for services in the ordnance military corps was 293,690*l.* last year, and that this year these allowances amounted to 333,584*l.*, being an increase of 60,000*l.*: the expenses of the civil department, consisting of allowances to those, or to the widows of those, who had held offices of a civil nature in the ordnance service, were last year 38,984*l.*, but this year they were increased to 40,589*l.*: and with regard to the remaining item, comprising retired allowances granted since last year, the reduction which had taken place in 1819, in consequence of these retirements, amounted to 10,000*l.*, but in 1820 there was only a saving of 5,000*l.* on that head. The aggregate amount of the sums under the three heads which he had last mentioned was 342,674*l.* in the year 1819, and 378,307*l.* in the present year, making an increase of 35,633*l.*, exclusive of the increase which he had before pointed out in the extraordinary and ordinary expenses. It appeared, therefore, that the nett expense of the whole ordnance establishment for Great Britain and Ireland, which had been last year 1,191,905*l.*, was this year 1,319,854*l.*, making a difference of 127,949*l.*; and this increase of expense had been imposed on the country since last year, notwithstanding the anxiety which ministers professed for economy and retrenchment. He thought the country had a right to expect that these expenses, as well as the other branches of our military expenditure, should be made to approximate to the scale of charges which existed in former times of peace. On looking back to the amount of these estimates before the late war, it would be found that in the year 1792, the total sum voted for the ordinary and extraordinary expenses of the ordnance service was only 377,898*l.*, and the Journals of the House would show that the average sum voted for the whole expense of the ordnance establishment during the six years preceding 1793 did not exceed 310,000*l.* But if they took the average expense of the last six years of peace, they would find that there had been an average increase of 800,000*l.* At the same time, he thought it would be unfair not to state, that a considerable portion of this increase arose from half-pay and retired allowances, which amounted respectively during the years 1819 and 1820, to 293,000*l.*, and 333,000*l.* He would therefore take this opportunity of saying, that it was in vain for any individual to criticise the various items of expense in a committee of that House: for economy could be introduced effectually by those persons only who had the superintendance of the service. At page 7 of the estimates he observed a charge of 7,500*l.* made for repairs and other contingencies at Gibraltar; and he would ask, if this was any proof of a desire to economise? He contended, that if there was a surplus revenue collected at Gibraltar, it should be applied to defray the expense of repairs and the other charges of the fort; at all events, he thought these charges should be paid out of the money so raised, before any part of it went into the privy purse. He was also at a loss to see what right ministers had to include the expense of the Ionian islands in these estimates. By the treaty of Paris, the king of Great Britain was made protector of the Ionian islands, with an express provision that they were themselves to defray the expenses of a military establishment not exceeding 3,000 men, and that if this country should think fit to keep up a greater establishment in these islands, it should defray the increased expense. That treaty had been made under the conviction that the revenue of the islands was sufficient to keep up their military charges, and he regarded it as a charter by which the protection of Great Britain was secured to these islands on the one hand, and on the other it was stipulated that we should not be at the expense of supporting their military establishment. He therefore entered his protest against the charge of 3,000*l.* which was included in these estimates, under the head of the Ionian islands. There was another article of expense which he had mentioned last year, and which was perhaps not worth alluding to at present—he meant the expense of manufacturing gunpowder. He believed there was at present in this country a stock of powder sufficient for twenty years of peace, and yet he saw that in the two royal powder-mills at Feversham and Waltham-abbey, there was an annual charge of 10,500*l.* for repairs and labour. He did not challenge this item in particular, but he wished to point it out as worthy of the attention of the House. The hon. gentleman next called the notice of the committee to the list of pensioners who had received retired allowances since last year. If the noble duke who presided over the ordnance establishment was as anxious for retrenchment as the right hon. gentleman had represented, was he warranted in giving an individual, for three years services, a retired pension equal to one-half of the salary he received while in the service? He had been led to believe that it was not in the power of ministers, without violating an act of parliament, to give pensions for less than ten years service, except in cases of sickness. Yet in this list there was a person who had been only three years in the service, with a salary of 90*l.*, but who now received a pension of 45*l.*; another who had been four years in the service, received also 45*l.*, being one-half of his former salary; and another who had been 5 years employed, and whom he supposed to be a young man, from his being only a junior clerk, had also an allowance equal to half the amount of his salary. Two other persons, after 9 years service, with salaries of 175*l.*, had allowances, the one of 75*l.*, and the other of 85*l.*; and he would ask if this was consistent with the act which had been passed to regulate pensions? The report of the committee which had inquired into that subject, and of which he believed the hon. member for Corfe-castle had been chairman, said explicitly that there was nothing to oblige the country to pay pensions to those persons whose services had been dispensed with, unless their services were such as to entitle them to an allowance. The right hon. gentleman might perhaps be able to explain the grounds on which these pensions had been granted, but he could not see that any economy had been practised on the occasion. He would recommend the appointment of a committee to revise the whole of the system; for, without impugning the intentions or the knowledge of those who had the charge ef the establishment, he conceived that from their very situation they were prevented from viewing the subject as they should. He gave the noble duke at the head of the ordnance credit for the reductions which he had made in the foreign departments, but he was confident there was room for still greater reduction and consolidation in these departments, especially in the store-keeper general's department. If a proper system of consolidating these establishments were adopted, he was convinced that nineteen more appointments might be reduced before next year, without rendering the service less efficient than it was at present.

Mr. *R. Ward* said, that the hon. gentleman in the course of his remarks had not pointed out a single place or establishment which he thought should be suppressed. He called on the hon. gentleman to name one that could be dispensed with; though he did not pledge himself that those who had the charge of this department of the public service would accede to the recommendation of the hon. gentleman, because he conceived that from their experience they were best able to judge what establishments were necessary. He thought, however, that he had already stated sufficient proofs of the sincere desire which the noble individual at the head of the ordnance had to make every reduction for the sake of economy that was consistent with the efficiency of the establishment over which he presided. Those petty clerks on whose pensions the hon. gentleman had animadverted, were not he believed, known even by name to the noble duke, who had granted them pensions on the recommendation of those who were acquainted with the nature of their services and their claims. He was completely at issue with the hon. gentleman on the construction of the act of parliament which the hon. gentleman had erroneously called the act of the member for Corfe-castle. It was in fact Mr. Perceval's act; for Mr. Perceval had been chairman of the committee, and had as such brought in the bill. The House were in possession of all particulars relative to the offices which had been suppressed, and the terms of the half-pay usually allowed upon their suppression. The whole of the estimated cost of those in the West India department did not amount to more than 700*l.*, or perhaps 800*l.*; and the half-pay was not more than 45*l.* He would put it to the House, whether there was here any waste of the public money? Still, however, he would allow, that if those offices were not entitled to half-pay under the act of parliament, those who had allowed it were blameable; but he defied the hon. gentleman to prove that they were not so entitled. There was an excess upon these estimates, as he had already stated in his opening speech, of 133,000*l.* at the utmost, in the year: and upon that account alone, more than upon any reasoning which he had advanced, the hon. gentleman appeared to insist that there could be no economy in the ordnance department. During the whole of that hon. gentleman's speech, he could really discover no other point but this—that there was an excess, and therefore there could be no economy. Now, he had not adverted to the nature of the different articles constituting that excess, most of which were articles of necessity. The hon. gentleman had stated that there was an excess of 80,000*l.* upon the extraordinaries of the last year; but in this he had made a mistake. With all his accuracy, his penetration, his acumen, and his disposition to impute blame to the ordnance department, he had decidedly made a mistake. He could not have perrused the estimates of the last year. [Mr. Hume here intimated that he had said 60,000*l.* not 80,000*l.*] The tendency of the hon. gentleman's observations went to show, that the excess was 80,000*l.*, and the whole statement could only have resulted from the hon. gentleman's not understanding the article of stores. If the hon. gentleman looked at the estimates of last year, and then at those of the present, he would find that the difference between 80,000*l.* and 60,000*l.* (the real excess) resulted from the circumstance, that 20,000*l.* for old stores had not been credited to the ordnance. The hon. gentleman seemed to have assumed, that the country was in the same state now as it was in the year 1792. But would any man pretend to say this was really the case?—that all the articles which found their way into these estimates were at the same prices during the two periods?—that the situation of the empire was not very materially altered? Why, on the contrary, hon. gentlemen would find that the establishment itself, being almost double the pay of military corps, was almost doubled also. They would also find that a vast number of new charges were necessarily created by that increase. In the first part of his speech, the hon. gentleman seemed to have considered the difference between the estimates of a period he had selected, and those of this year, at 800,000*l.*, upon an average calculation: to be sure, in his calmer mood, and upon calculation, he had rated it afterwards at somewhere about 400,000*l.* Now, before the year 1792, the ordnance estimates, altogether, were not more than 400,000*l.*; and the total allowances for military half-pay amounted to nearly the same sum. The only way, however, to judge of the question, was, to compare the ordnance estimates of the present time, with those of some period before the war, and to look at the principle upon which the difference between them had proceeded. In order to see this the better, he (Mr. Ward) had been at the trouble of examining an old ordnance estimate made at a time of profound peace. He had taken the year, not 1792, but 1788, which was between the peace of Paris and the breaking out of the revolutionary war. He knew of no reason which had actuated him in doing so, but that it was a year of peace succeeding a long war; and because he thought it would serve to show how this subject should be viewed. In 1788, the ordnance estimates were 419,000*l.* In considering what were the real expenses at the present time, as compared with 1788, he thought it was but right that they should deduct all articles from each estimate which were not articles of actual service—for example, the half-pay: and from the charges for services, those which were dead expenses; not expenses of an actual nature, but inevitable ones. To take, then, the total increase of the charge, as had been suggested by the hon. gentleman, the real expenses of the department at the present time would be 1,380,000*l.*: whereas, upon the principle he proposed to follow, of deducting certain expenses not of an actual nature, the estimate of 1788 would be in fact only 398,000*l.* From that of 1820, by the same rule, they would have to deduct for half-pay, and for allowances, compensations, &c., 374,173*l.* and for incidental expenses, 1,487*l.*; which deduction would altogether amount to 375,660*l.* Then, again, there were a vast number of services in the present ordnance department which did not exist in the year 1788; and in making this comparison between the two periods, it was not proper for him to throw them out of the calculation. For example, in 1788, there were no horse-artillery, therefore that could be no article of such comparison; but new services of this kind formed the reason of such excess. Then there were the expenses for Ireland in the present estimate —these amounted to 111,986*l.*; and these were not to be charged before the Union. The charge for the horse-artillery was 348,000*l.* At the time alluded to (1788), this service was so imperfectly performed, that it was found necessary to press into it any common carters that could be found. The forage and supply of draught horses were charged at 12,946*l.*, and contingencies at 7,000*l.* But, in short, without entering into a more minute recapitulation of the details, all these various services amounted together to 645,000*l.* which deducted from the total expenses of the present period, namely, 1,380,000*l.*, left those actual expenses for the year 1820, as compared with 1788, 735,000*l.* He hoped he was clearly understood, and particularly begged to call the attention of the hon. gentlemen to this part of the subject. There was still therefore an excess of actual expense, in 1820, of 337,000*l.* over the charge of 1788; this sum being the difference between 735,000*l.* and 398,000*l.*; an excess which was to be accounted for, principally by the increased efficiency of the establishment. There were the pay of the director-general of the field train, and the total charge on the reduction of the ordnance military corps; the one item being 3,072*l.*, and the other 5,000*l.* to enter into that account. It might be said, that that reduction should not have been made at 5,000*l.*; but so long as the country allowed it to stand in that way upon the estimate, he must presume the country considered it a proper establishment. The next point of difference in this comparison was, that in the year 1788, the total pay of the artillery was 113,000*l.*, whereas it was now estimated at 244,451*l.*; the excess of this charge, therefore, accounted for 131,451*l.* The establishment of the artillery corps in 1788 consisted of only eight companies; whereas now, the addition of a large body of sappers and miners, and the improvements, made it infinitely more effective than it had ever been before, and occasioned a difference of 8,000*l.* The utmost charge for pensions and superannuations in this department, for Great Britain and her colonies, was, in 1788, not more than 134,900*l.*; whereas, in 1820, it stood 181,175*l.* But he would only ask hon. gentlemen to look at the state of the empire; since 1788, fourteen or fifteen new colonies had been added to it; and they would see how much the establishment had been of necessity enlarged. He apprehended that he should not be very far off from the truth, when he said that the navy, for instance, had been almost doubled since 1788, as to the number of ships of the line frigates, and armed vessels; and the gun-wharfs at the ports of Plymouth, Portsmouth, and Chatham, were all under the direction of the Board of Ordnance; and yet the difference in the charge for pensions in remuneration of inventions and improvements in the artillery service, and to superannuated and disabled men and pensioners, between 1788 and 1820, a period of 32 years, was not more than 47,000*l.*; although this resulted after such a continued war, and such an extension of empire. Really, the difference must be considered, under the circumstances, almost nothing; and the Board of Ordnance, instead of incurring blame, had some claim, he thought, to the approbation of the House, because it was no more. The expenses incidental to the Tower, and the other forts and garrisons, which in 1788, were about 18,000*l.*, were now 35,000*l.*; and another item (which we did not hear) that was then rated at 60,000*l.*, was now 150,000*l.* Such too was the case of barracks, of which there were then comparatively very few, but which had greatly increased in number during an unintermitting war of so long a duration. The inference to be drawn from the taking these various differences into account was, that the Ordnance department, so far from being to blame for an increase of its estimated expenses of upwards of 330,000*l.* since 1788, was rather entitled to credit for confining the excess to such a sum. The hon. gentleman had asked a question respecting the military general secretary. He had asked, whether any increase of his pay had been recommended? A former finance-committee had recommended that it should be 800*l.* a year, but the hon. gentleman might have heard, that since that time another committee of finance had recommended that it should be 1,500*l.* a year. Here the right hon. member replied to the several observations which had been made by Mr. Hume relative to the charge of 7,500*l.* for Gibraltar. He could assure him that the Board of Ordnance was innundated with memorials and reports from different engineers attached to the various fortresses, declaring their inability to answer for the maintaining, with the funds allotted to them, their respective works in a weather-tight condition. The hon. gentleman perhaps knew that the whole sum applicable to such repairs was 80,000*l.* and that was found totally insufficient for these purposes. With respect to his questions, he (Mr. Ward) did not feel himself called upon to answer them; and what the hon. gentleman had thrown out, might form the matter of a specific motion. Since 1818, however, he understood there had been no surplus revenue applicable to the repairs of the fortress of Gibraltar; and therefore it was perhaps impossible to effect the hon. gentleman's wish that it should be made subservient to such an object. The same observations would apply to the case of the Ionian Islands. The right hon. gentleman then went on to defend the propriety of the board's keeping its faith with its servants, by retaining in its employ those artificers of gunpowder, with whom it had been a stipulation at the time of their engagement, that they should not be turned adrift; and observed upon the unrivalled quality of the gunpowder now manufactured by those in the pay of government; whereas, the badness of the government gunpowder (as it was termed) was, during the American war, the subject of frequent remonstrance and complaint. After some further remarks upon the absolute necessity of retaining the works at Feversham and Waltham-abbey on their present footing, the right hon. gentleman concluded by saying that while the charge of 10,500*l.* was objected to, it should be remembered, that if government were to dispose of their immense stores of saltpetre, charcoal, and sulphur, which were materials not of a perishable nature, and therefore easy of keeping, the public would lose between 200,000*l.* and 300,000*l.*

Mr. *Creevey* said, an extraordinary answer had been made to an objection which he felt an interest in, as it was similar to one which he was about to make. When it was objected that a sum should not be voted for Gibraltar because there were other means of supplying that expense than by a vote of parliament, it was answered, that it should be made the subject of a separate motion, and this too in a committee of supply [Hear, hear!]. Now, he would not consent on the part of the people of England to pay for the repairs of forts at Barbadoes and the Leeward Islands. He would produce an act of the assembly of Barbadoes which provided for that express purpose without burthening the people of England. The hon. member then read the Act of the Assembly of Barbadoes of 1663, declaring that it was necessary for several purposes relating to the government of those colonies, and specially for "the reparation of the forts," that a competent revenue should be raised, and that for those purposes they granted a duty of 4½ per cent to be levied on all imports [Hear!]. What, then, had they to do but to apply this revenue? He would prove that the revenue existed. There were papers before the House showing that the duties had produced 57,276*l.* a year. But it had not been applied to the purposes of the colonial act, and he would tell them why. Instead of repairing the forts, 1,500*l.* was given from it to the right hon. Charles Long; 500*l.* to sir Home Popham [For what service? from a member on the ministerial side]. He did not know for what sir Home Popham had got it, but not, he presumed, for repairing the forts. Mr. Huskisson had another pension, lord Hood another, the hon. Fulke Greville, and lady Mansfield another, with various others, and by these several lords and ladies and gentlemen, this fund was swallowed up, which should go to the repair of the forts. There was the Colonial act creating the duty, there was the money raised by it, and which, instead of repairing the forts, went into the pockets of ladies and gentlemen [Hear, hear!]. This was a subject which had been before spoken of, but never discussed adequately, because it had never been discussed by itself. The act bore date 1663. For some time after, it was not applied as it should be. In the time of queen Anne the planters of Barbadoes petitioned the Crown on the subject, and the House of Commons addressed the Crown. Mr. Secretary Vernon, from the queen, declared to the House that the fund should be thereafter applied to the reparation and erection of forts, &c. In the Civil List act of that day, in going over the small hereditary revenues, the 4½ per cent duties were always excepted. So far was he from thinking this was not a fit time for bringing forward this subject, it was, in his opinion, the very time. They should tread in the steps of the House of Commons of the reign of queen Anne. He was quite sure that when the question came to be understood in the country, that it would not be endured that they should vote a sum for the reparation of the forts in the Leeward Isles, when there were funds specially for that purpose. He was sure that the country would not, without dissatisfaction, see its representatives not only not apply this money to its proper purpose, but put it into their own pockets, and burthen the people to make up the deficiency. When the process was understood, it would not be long endured. His experience gave him considerable expectations on the subject. When he first made a motion on the two overgrown tellerships of the exchequer, he was almost hooted out of the House, such was the clamour at his having thought of invading the sacred rights of property. But the progress of opinion respecting those offices, after that exposure, was speedily such, that the noblemen found all at once that the circumstances of the country were so peculiar that they could not feel justified in retaining the superfluous emolument, and after receiving it for 19 years, begged to be relieved from it for the future. They knew that though there were only 45 members in the House against them there was not one man in the country for them. The pensions charged on the 4½ per cent fund, were so contrary to law and decency, that he was quite certain that when the thing was fully known, the ladies and gentlemen would all be desirous to take their leave [a laugh]. He was happy to find that it was lately stated in the House that a prospective claim of 1,500*l*. a year on this fund had been abandoned. He had not before known the fact, but he hoped to see the lords and ladies drop off one by one. He should take the sense of the committee upon the subject, and if defeated he should divide on the report, and if he was not then successful, he should make a specific motion on the subject. His intention was, when the vote came which embraced that item, to move an amendment to omit the expense of the fortification of the Leeward Islands. As to another subject, he remarked that the confusion of the estimates of the military half-pay and civil super-annuations was a violation of the act of the 50th Geo. 3rd, ch. 15. In the army estimates, the expenses were, in obedience to that act, stated separately under each head.

Mr. *R. Ward* certainly did not mean to go into a discussion on the great question of the 4½ per cent duties, and their proper application: it was a question on which great difference of opinion existed; but it had recently been debated in both Houses of Parliament, and the majorities had declared themselves of the opinion which was now acted on by government. But in steering clear of discussion he said distinctly that the hon. gentleman had proceeded on *ex parte* statements, in coming to the conclusion he had come to. His opinion was founded on certain words which he had found in an act of parliament; but he could assure the hon. member that there were many other material particulars to be taken into consideration in deciding the question, and he had heard the present practice defended in a very able manner by the late lord Melville. He said, therefore, again, that the hon. gentleman's statement on the subject was an incorrect and garbled one. The item objected to would be open to discussion when the resolutions came to be reported. With respect to the alleged violation of the act 50th Geo. 3rd, the accounts were now stated as they had always been since it was passed, and he saw in them nothing contrary to its provisions.

The *Chancellor of the Exchequer* observed, that the hon. gentleman had excited his astonishment and sorrow, and done himself very little credit by the manner in which he had treated one of the most liberal and public-spirited acts ever done in this or in any country—[Hear, hear!]. The lofty and generous conduct of the marquis, of which the hon. gentleman had spoken so lightly, had drawn forth the universal respect and gratitude of this country, and he believed of Europe. The hon. gentleman had taken on himself the credit of having compelled the noble marquis by the observations he had made in the House, to give up those official emoluments, for his voluntary and noble sacrifice of which he had received the thanks of the two Houses of Parliament, and of the common council and the corporation of the city of London. Speeches of the character of the hon. gentleman's held out little encouragement for disinterested conduct and did not tend to induce others to resign private rights for the service of the public. The hon. gentleman who was putting forth this suggestion might surely have remembered, that long before his observations, proper or improper, were heard, so early as the year 1812, the two noblemen to whom he alluded had surrendered a large portion of their incomes to the necessities of the country. Upon the minds of such men, the observations of the hon. member must have acted rather as checks than as incentives to such a surrender; and it evinced no common magnanimity to triumph over the feelings which such attacks were calculated to inspire. The right hon. gentleman concluded by adverting to Mr. Creevey's observation upon the Leeward Island duty, and asserting that from the time of William 3rd, with one exception in the reign of queen Anne, those duties had always been considered as part of the revenue of the Crown, and as one of the funds peculiarly applicable to the reward of public services. Whatever question with regard to those duties there might arise between the legislature of these islands and his majesty, there could not possibly be any between the islands and the grantees, and it was equally as clear that if his majesty should restore to the sole use of these islands the funds in question, the House would have to make good those pensions which were now paid out of the 4½ per cent duties.

Mr. *Hume* referred to the reports of the finance committee to show that from 1715 to the year 1786 the 4½ per cent duties had been included in the revenue. It was not until the last-mentioned year, when the consolidated fund was established, that they were no longer comprehended in the general revenue, so that the right hon. gentleman's statement respecting them was perfectly unfounded.

Mr. *Bennet* maintained, that in the original act of parliament imposing the 4½ per cent duties it was expressly stated that they were for assisting in the protection of the Leeward islands. Subsequently, in the reign of Charles 2nd, they were taken as a part of the hereditary revenue. In the reign of William 3rd two acts passed, applying them to the same purpose. But the whole of these misappropriations of the duties was nullified by a decision in the reign of Anne, which took from parliament and the Crown the power they had assumed on the subject, and applied the duties as they had been originally applied in 1663, to the support of the fortifications of the Leeward islands. In the early part of the late reign, pensions had certainly been settled upon the fund in question: the duke of Gloucester had for some time a pension upon it. The receipts, however, became, during some years, deficient: the duke complained that he did not receive his revenue, and the pension was removed to the consolidated fund. By and by the receipts increased, and became again sufficient to answer the former demands; and then, of course, the duke of Gloucester's pension was restored to it! No such thing: the duke remained upon the consolidated fund, and the 4½ per cent duties were saddled with new charges in favour of new pensioners. As to the two noble lords, of whose sacrifices so much had been said, it was difficult to know on what ground they had acted as they had done, for it was difficult to know the motives of men's hearts. They had never thought of surrendering that to which they were entitled until a year after the subject had been mentioned in that House, and until a strong feeling of disgust at their hesitation to disgorge what they had obtained at the public expense had been manifested throughout the country. He thought that persons like the noble marquis, who were ultimately induced to resign their sinecures, in the distressed situation of the country, instead of being so highly panegyrised for their generosity, ought to be called on to refund the countless thousands they had previously received of the public money for no adequate service whatever.

Lord *Castlereagh* did think, and he was sure the feelings of the House and the country would go with him, that the mode in which the two honourable members had expressed themselves, in relation to the fees of the tellerships of the exchequer, was neither fair, candid, liberal, nor just. It would have been but justice to say, that this fund had lapsed into the hands of the noble marquis, who had exhibited such unexampled disinterestedness and public spirit in sacrificing his rights to the necessities of his country, from a father on whom the office had been conferred as an inadequate reward for eminent public services. For when he had retired from an elevated situation in the profession, which his talents and learning had long adorned, that office had been conferred on him as a small compensation for his services, and to make a provision for his family. He could not conceive any thing more hostile to the exercise of exalted public principle, than to see two hon. members indulging in the feelings displayed that night: one taking to himself the merit of having compelled a renunciation of income which was purely voluntary, and an almost unparalleled instance of patriotism; the other making it matter of taunt and accusation that the noble lords had not refunded all the profits they had ever derived from the offices.

The *Chancellor of the Exchequer* repeated his assertion, that the noble marquis in question had made large sacrifices to the public interest long before the observations in parliament of the hon. gentleman opposite.

Lord *Milton* observed, that there was one circumstance respecting the office held by the noble marquis, to which no allusion had been made either that night or previously. It was well known that a judicial office had been held by his father, which usually enabled its holder to amass a large fortune. That office he had resigned; and it should always be remembered what the cause of that resignation was. It had taken place because he believed it necessary to the defence of the rights and liberties of his country—believing that to save a compromise of his principles, he was obliged to separate himself from the administration then in power. It was upon the question of the Middlesex election, that, differing in opinion from his colleagues, he had thought he could no longer retain the chancellorship. The recollection of this fact should endear the memory of the father, and secure for his descendant the respect and attention of the country.

The several resolutions were then agreed to.

ARMY ESTIMATES.] Lord *Palmerston* again rose to bring forward the Army Estimates. He commenced by referring to particulars; and first to the staff, on which he said there was a total saving of 13,701*l.* In the barrack department there was also a saving of 4,800*l.*; and in the office of commander-in-chief, of 231*l.*, in consequence of a change of the secretary. In the War-office the saving was 3,531*l.*, the principal item in which was 2,557*l.* on arrear accounts. The House was probably aware that there had been a large arrear of unsettled accounts arising out of the war and other particular circumstances, provision not having been made for the accumulation of business. An addition of persons to bring up this arrear had received the sanction of the Treasury: the whole charge, including foreign correspondence, was formerly 56,812*l.*; but on the year 1820 there had been a reduction of 37,216*l.*, of which 9,365*l.* had been wholly discontinued, and the expense of an establishment amounting to 10,000*l.* had been transferred to another department. It was also satisfactory to find that the arrangement had been effectual for the purpose for which it was destined. In 1811 only two accounts remained unsettled; in 1812 only eight; in 1813 only twelve; in 1814 only eleven; in 1815 only six; in 1816 the same number, and in 1817 only twenty-one. In the whole, 1399 accounts had been passed, and there were only sixty-six on which any question still subsisted, and those questions arising out of circumstances not within the control of the office. The effect of the arrear department had been to save the public a much larger amount than the whole expense of the War-office for the year; 69,276*l.* had been either recovered or saved, of which 7,929*l.* had actually been paid into the Bank of England, and the remainder deducted from accountants on the settlement of their balances. Under the head of hospital expenses there was an increase of 9,600*l.* which arose thus: at the end of the war there had been a large quantity of medecine in store; it had been consumed by degrees, and latterly it had been necessary to obtain a fresh supply. Under this head was also included a charge of 2,100*l.* for the Opthalmic hospital, of which so much had been said last year: the number of patients was 100, or only 21*l.* for each patient. The experience his lordship had since had of the advantage of this institution confirmed all the opinions he had formerly entertained and expressed. In the volunteer corps there had been an increase of 47,831*l.*; the British part of that increase arose from the establishment of new corps.

The total amount of volunteer corps in Great Britain was 25,000 cavalry and 4,950 infantry, In Ireland they were entirely infantry, and a reduction had been made there of 6,995 rank and file, and a saving in charge of 2,000*l.* effected. The present amount of Irish yeomanry might be stated at about 20,000 men. In the Royal Military College there had been a diminution of expense to the extent of 3,702*l.*; still further reductions were in progress; ths senior department, after the 24th of June, would be removed to Sandhurst, and the number of officers was to be lowered from 30 to 15, and a more rigid inquiry would be instituted into their competence, so that the public might be fully assured of the ability of those allowed to study there. The cadets in the junior department were reduced from 320 to 290, and the professors had been proportionably diminished. It had been ascertained that the charge for the effective part of the military college next year, would not exceed 15,900*l.*, or about 3*s.* per day for each person. In the pay of general officers, there appeared from the estimates on the table an increase of 3,111*l.*, arising from the reduction of certain regiments last year: by previous regulations certain general officers were allowed to fall back on these allowances. Under the head of garrisons there was also a small increase of 979*l.*, arising from certain transferences that had been effected. In the article of full pay for retired allowances, a diminution would be noticed of 37,843*l.*, arising out of the formation of the veteran battalions, the officers for which were taken out of those receiving such allowances. In the half-pay and military allowances there would be seen an increase of 49,837*l.*, occasioned by a number of persons being placed upon half-pay by the disbandments of last year. In forming the veteran battalions it was found that some could not serve from age, wounds, and other causes, and their names were allowed to stand in this list; and such officers as were taken upon full pay were in all cases deserving objects, whether from length of service or otherwise. Under the head of half-pay to officers in foreign corps there was a diminution of 4,461*l.* arising from casualties. In the in-pensioners of Chelsea and Kilmainham-hospitals, there was a small increase of 1,604*l.*; but in the out-pensioners there was a diminution of 85,967*l.*, produced in a great measure by the formation of the veteran battalions: there was also a balance of 20,000*l.* in the hands of the agent for Chelsea-hospital, for which credit was taken. In the Royal Military Asylum a diminution would be observed of 982*l.* In the widows' pensions there was an increase of 10,763*l.* Before he quitted the subject of Chelsea-hospital, the House might wish to know what had been the result of the examination of the pensioners for the veteran battalions. The total number that presented themselves was 15,026: of these 12,305 were found fit for duty: 1,862 did not attend, but the greater number made sufficient excuses. Such as were at first held fit for duty were again examined, and 3,348 of them were discharged, leaving in the whole 8,957 for the service for which they were intended. Although a great number did not attend pursuant to order, his lordship wished to rescue the men from any imputation that they wished to absent themselves from the call: they came with the greatest alacrity, and with much satisfaction entered upon their new duty with their increased allowances. Such as had two children likely to become liable to the parish were not received. In what was called the compassionate list, bounty for wounds, &c., an increase of 9,815*l.* would be found, and in the superannuation and retired allowances a similar increase of 1,898*l.* On the whole view of the subject, taking in all the smaller items, it appeared that there was a reduction of 11,745 men and of 224,000*l.* In reference to the veteran battalions it was fit to observe, that the charge made for them included 18,500*l.* as the expense of clothing them; but as they had been furnished from the stores of the war left on hand, credit had been elsewhere given to that amount. The House might wish to know the expense arising from this measure: including the clothing, it was 360,000*l.*, increased by the charge for organization. Against this was to be set, the pensions of the men 85,000*l.*, the saving of pay of retired officers 35,000*l.*, and credit for half-pay to the amount of 12,000*l.* The sum saved was therefore in the whole 132,000*l.* and the charge upon the country, including clothing, 360,000*l.*: deducting the one from the other, together with 18,500*l.* for clothing, left an additional charge upon the public for the veteran battalions, of 210,000*l.* He had been blamed, on a former occasion, for not entering more at large into the reasons which had induced ministers to think this addition to the force of the kingdom necessary: he could only repeat now what he had said before, that the reasons for this increase of force were so notorious to every person in the country, that he should consider any attempt on his part to argue the necessity, not only a waste of time in the House, but as trifling with the public understanding. If the justification of this measure were not sufficiently established by the events which had taken place since August last, he was certain that no argument he could use, and no eloquence ever heard within those walls, would carry conviction with it. The noble lord then moved his first resolution, "That a number of land forces, not exceeding 92,586 men, and also 676 men proposed to be disbanded (but exclusive of the men belonging to the regiments employed in the territorial possessions of the East India company, or ordered from thence to Great Britain), commissioned and non-commissioned officers included, be maintained for the service of Great Britain and Ireland, from 25th December 1819 to 24th December 1820."

Lord *Nugent* stated, that it was not his intention on the present occasion to go into all the objections which he entertained to the resolution now moved. One reason for his declining to do so was the evident indisposition of the noble lord. His objections, too, did not so much apply to the details embraced in the estimates now laid upon their table, as to the principle of maintaining so enormous a military establishment in time of peace. It was an establishment which he saw nothing to justify in the situation of Europe, or in our own domestic circumstances. The noble lord had not attempted to bring forward any argument to prove its necessity, but had rested its defence on the ground of public notoriety. Such a ground might appear satisfactory to the noble lord, but, in his opinion, a large military force was not a suitable remedy for popular discontent, arising from actual misery, and increased by the disastrous state of our finances. If complaints of taxation were to be met by enlarged establishments, it was obvious that we should move on in a circle till some final rupture took place between the Crown and the people, the issue of which must be either to confirm disaffection, or to establish a military government and a military police. Having made these general observations, he wished to ask the noble lord one or two questions with regard to certain points in these estimates which he did not at present clearly understand. A sum of 406,000*l.* was charged to defray the expense of the veteran battalions embodied last year, but he had not succeeded in ascertaining whether the number of men included in those battalions was 11,745 or 8,957. He wished also to inquire, as it was generally believed that the militia would be embodied in August next, what number of men were to be raised by ballot, and also what increase had taken place during the last year in the yeomanry cavalry? He must repeat, however, that independently of these considerations, he thought the vote to which the House was called upon to agree was most alarming, and he should take another opportunity of stating the many objections to which he thought it open.

Mr. *Fyshe Palmer* was anxious to draw the attention of the House to the subject of the driver corps, the skeleton of which was still kept up in Wales, but for what purpose of national utility he had not been able to discover. He apprehended, likewise, that if the military college was still necessary, it ought to be placed on the most economical footing. He was far indeed from admitting that necessity, and was persuaded that one-half of what was laid out at Sandhurst would cover the entire expense of Marlow. It appeared to him that a most enormous sum had been expended in buildings, from which the public service could derive no adequate compensation.

Mr. *Hume* considered that the House and the country were much indebted to an hon. and gallant officer (colonel Davies) who had recently called their attention to the subject of our military expenditure. It was undoubtedly a little singular to find, in the first place, so large an increase in the number of life-guards. That number, in the year 1792, was 695, and now amounted to 1,305. He was sure he was not exceeding the truth, when he estimated the cost of every individual in that corps, including horses and accoutrements, at 142*l.* per annum. In the accounts on the table it appeared to be no more than 70*l.* per annum, but this was exclusive of the charge for horses. With regard to the aggregate amount of our military establishments in this the sixth year of peace, he thought the House must feel deep regret at the contemplation. These estimates, too, it must be recollected, did not comprehend more than half of the total charge for the year. It was very difficult, indeed, to get at the entire account; but by a statement in one of the reports of the finance committee, the whole military expenditure of the last year, including the ordnance service, was represented to be 9,991,000*l.* If to this were added the sum of 224,000*l.* for additional charges in the present year, the total amount would exceed 10,000,000*l.* He was satisfied that so large an establishment was out of all proportion to the exigencies of the country, that it was bad policy to attempt keeping down a population by an overwhelming military force, and that whilst corps of yeomanry were in a state of efficiency, a very great diminution might be made in the regular regiments. The charge for those regiments stationed at home was, 1,509,000*l*, and of those on foreign service 1,067,000*l.* One half of this expenditure arose in the colonies; and it was a question which he trusted would not escape the attention of his majesty's government, or of the legislature, whether the resources of these colonies might not be made available to their support and defence.—He hoped the House would indulge him whilst he now offered a few observations on some other branches of our military expenditure. In beginning with the staff he must express a decided opinion, that this would admit of more reduction than any other charge. If they looked only a few years back, indeed to the year 1814, it would be found that the personal allowance of the commander-in-chief was 9*l.* 9*s.* per diem, but it had subsequently been raised to 16*l.* 8*s.* 9*d.* The salaries and allowances of the secretary and other officers were also increased, and the ground upon which these additions were justified was, that the number of regiments had been increased from 100 to 265, and that the official labour of those individuals was augmented in the same proportion. Surely, then, the present state of the army afforded as strong a reason for now reducing those allowances. The charge for the whole staff was 30,353*l.* He was happy to see the right hon. the judge-advocate (Mr. Beckett) in his place, as he was about to make some allusion to the increased allowances which had been made for his office. He believed that in sir C. Morgan's time those allowances did not exceed 2,040*l.* per annum, since which time they had been raised to 5,000*l.*, as he presumed, on account of the increased business, during a war, carried on upon so extended a scale as the last. Was it too much, then, to ask, now that peace had arrived, and the right hon. gentleman had comparatively nothing to do, that the establishment of his office should be put upon its former footing? Agreeing that a liberal consideration ought to be paid for legal knowledge, it could not be denied that what was sufficient for services rendered to an establishment of 260 regiments, must be more than enough under circumstances so altered as the present.—He would now solicit their attention to what appeared to him an extraordinary transaction. On the face of these estimates there appeared a deduction from the charge on account of the Ionian Islands of 11,000*l.* He was surprised at this statement, because he held in his hand a return made by order of the House, and which return showed that the expense of the military staff in the Ionian Islands was 10,446*l.*, and that only 2,680*l.* was paid out of the colonial funds. But it also appeared that Great Britain paid not only the expenses of the military, but of the civil government of those islands, amounting with contingencies, to 145,203*l.* The House would easily judge how far this was consistent with the treaty of Paris, or with the constitution which had been granted to them. By the 8th chapter of the constitution it was provided, "that all expenses incurred in supporting the military force, and expenses of every other kind, shall be paid out of the general treasury, as far as such expenses apply to the maintenance of 3,000*l.* men." The Ionian states were bound to support a military force of 3,000*l.* men; and if any addition were made to that force, the charge was to fall on Great Britain. But the force actually maintained did not exceed 3,000 men, and yet Great Britain was paying every farthing of the expense.—With regard to the military college at Sandhurst, he had been much misunderstood as to what had fallen from him respecting it on a late occasion. He was far from entertaining any wish to see it put down; but if kept up at all, it ought to be kept up in a state of efficiency. After the expense which had been incurred in erecting buildings, he should indeed be sorry to see it abandoned, but he thought a very limited sum would answer the purpose of maintaining its utility. It appeared that during the years 1816, 1817, and 1818, there were 400 cadets qualified to receive commissions, and that in the following year there were 320, making an average on the four years of 390. Of these 100 ought to have received commissions, had government been disposed to avail themselves of the advantages arising from the system of education at the college. Commissions, however, had been granted only to 76 in the course of three years, the whole expense of the establishment for which period was 78,000*l.*, being a charge of 1,040*l.* for the education of each individual thus called to an employment in the public service. If this education was as advantageous and useful as it was represented to be, he did not see indeed, why every officer should not receive it, being persuaded that its benefits might be communicated at a very reduced expense. Whether the commissions were obtained by purchase or without purchase, did not seem to be very material; and of the 76 persons to whom he had alluded, some had obtained them in the one way and some in the other. All he meant to contend was, that all the advantages of the institution might be derived at a much cheaper rate. It had been said that the expense was only 3*s.* per head, but the staff of the establishment alone amounted to 6,500*l.* At Woolwich, where the education was at least equally advantageous, the charge was infinitely less. But at Sandhurst there was a governor with 1,500*l.* a year, and a deputy-governor with 1,000*l.*, besides allowances for horses. There were also 26 professors to instruct 290 young men, and to their salaries was to be added the charge for clerks and servants. He was making no exaggerated statement, but merely representing what appeared on the estimates themselves. If there was not a sufficient number of commissions for those who were educated with a view to them, he conceived that it would be proper to narrow the admission of cadets. He was aware that a great deal might be said as to the situation of many officers children, but they ought not to overlook the necessary distinction between a state of war and of peace. If bounty was all they had in view, objects would never be found wanting; in that respect the supply would always be found equal to the demand.—There was one other point which he conceived to be of very great importance—he meant the half-pay; and he would briefly state to the House the view he took of that subject. By a return laid before the House last year, it appeared that there were no less than 1,665 captains, 3,663 lieutenants, and 12,000 cornets and ensigns, on the half-pay list, since which time near 600 had been added to that number. It was a matter of important consideration whether means should not be adopted to take those individuals from the half-pay list, and place them on full pay, by providing them with situations in the army. Every one must know that the greater part of those gentlemen would hail with pleasure any prospect of their being actively employed in the service; and by such an arrangement the half-pay, which amounted to a very large sum, would be saved. According to the return to which he had alluded, the commander-in-chief had granted commissions to 296 individuals without purchase, and in the same year they were placed on the half-pay list, thus adding an additional sum of 16,000*l.* to the list. If, instead of incurring an additional charge of 16,000*l.*, the same number of individuals had been placed on the regular establishment, there would now have been a difference of 33,000*l.*, which would have been saved to the country in the single class of cornets and ensigns. If that were the case how much greater must the saving have been in the higher classes? Many of those individuals had been 20 or 25 years in the service, and were therefore entitled to be placed on the regular establishment, on full pay, instead of employing those who had not seen service. He trusted that every thing that could be done would be practised, to lessen the expenditure in general, and that next year the estimates would appear before them reduced to the amount of some hundreds of thousands. Without the intervention of a committee, the propriety of instituting which he had before suggested, this could not be done, unless by the intervention of the heads of the several offices; and he trusted that the illustrious individual at the head of the army, and all those who were now receiving salaries on the ratio of a war establishment, would see the necessity, for the general good, of returning to a peace establishment.

Colonel *Davies* regretted that those individuals who took an active part in the discussion of a corn bill, or a commercial or agricultural measure, did not seem inclined to devote their talents to the important subject now under consideration.

When he recently introduced this vital question, he had regretted that it did not meet with due attention. He did not mean to enter into the subject now, but there were one or two questions which he was anxious to have answered. In the first place, he should be glad to know, as the late patentee for supplying the army with medicines was dead, what was the intention of government with respect to the necessary supply in future? Mr. Garnier, the late apothecary-general, had received a patent empowering him solely, to supply the army with medicines, which he did at the rate of about 50 per cent dearer than the ordnance department was supplied. The commissioners of military inquiry, in their fifth report, had recommended the purchase of the patent; or, if the patentee would not give it up, that on his death, the office should be abolished, and a more eligible mode of providing a supply of medicines be adopted. As the demise of the patentee had taken place, he wished to know what course had been selected for supplying the army with medicines, whether by contract or otherwise. He should also be glad to know, whether there were any militia embodied in the Ionian Islands, as he perceived there was a considerable staff there?

Lord *Milton*, in reference to 11,000 discharged men that had been called out in the course of the last year, wished to know whether that was done without any vote of parliament. As far as he recollected, no vote had been agreed to on the subject. The number of the army on the 25th of March last exceeded, by 11,000 men, the number voted by the Mutiny bill in 1819. The number of men was stated annually in the preamble of the Mutiny bill, and these 11,000 men were arrayed when parliament was not sitting. No notice had been taken of this circumstance during the last session; at least no official notice. The noble lord might perhaps have mentioned it, incidentally, in his speech, but no vote of that House had taken place with reference to this subject. He could not conceive why it had been thus passed over.

Colonel *Trench* was anxious to offer a few observations in defence of the establishment at Sandhurst. It was described as unfitted and unsuited for the purpose contemplated; observations were made on the extent of the fund appropriated to its support; and reflexions were also cast on the mode of education pursued in that seminary. As to this last point, he would leave it entirely in the hands of the board of general officers, to whom it was intrusted, and who were so well calculated to regulate the system of education. As to the policy of the establishment, he had no doubt of it. War, he admitted, was an evil, and he had heard it said, that institutions of this kind induced young people to imbibe a strong predilection for arms. Evils of this nature might subsist; but if they did, he thought they were more than counterbalanced by the solid substantial benefits derived from a good education. It must be evident to every person, that our troops, both at home, and abroad, must be more useful, and less likely to give offence, if instead of being commanded by boys not inured to discipline or well grounded in military science, they were placed under the guidance of those who had been regularly reared to the service, who possessed those attainments and acquirements that were necessary for a military life. These advantages, it appeared to him, were to be found in this institution; and therefore he wished to see it supported. He need not panegyrise the talents, the integrity, the justice and impartiality of that distinguished personage who had so long presided over our military institutions, and who gave his utmost support to this establishment. Every soldier knew, that to eradicate bad habits, and to implant good ones, was a most difficult task, and from the commander, who was the right hand of war, to the lowest soldier who took part in the battle, all admitted that their gratitude and esteem were due to the founder of an institution which was calculated to produce the best moral effects on the army. When he considered the arduous situation which that illustrious individual filled, and the various important duties which he had to perform, he could assure those who thought otherwise, that he was by no means overpaid for his exertions. With respect to the education of the young gentlemen, it comprised fortification, mathematics, drawing, and the modern languages. But what afforded him, in the course of his observations, the greatest degree of pleasure, was the infinite pains which appeared to him to be taken to perfect them in ancient and modern history, particularly the history of England. They were also furnished with works which were the best calculated to teach them the nature of British liberty, and to give them an insight into the principles of the British constitution. They were allowed for their amusement the perusal of the daily newspapers, and of various periodical publications; so that they were not kept in ignorance of the prevailing political opinions of the times. And yet he had heard individuals say that this establishment was nothing but a nursery to rear up janisaries for future despots. He looked also to the institution as a monument of national gratitude erected to those heroes who had fallen in the service of their country—who had exalted the glory of the British name, and ensured the security of the British empire. He could quote more than one instance of a brave soldier dying on the field of battle, and while drawing his latest breath, reflecting with pleasure that this institution was open to receive his children. To those who thought that the children of soldiers who had thus fallen should be provided for, it would be pleasing to learn, that from nine hundred to one thousand had been educated in this institution since its establishment. It was not too much to say that they had been rescued from vice and ignorance. He looked upon them as the children of the nation, and trusted that their welfare would never be neglected by their country.

Mr. *Bennet* said, the noble lord had stated that the Ophthalmic establishment cost the country about 2,000*l.* a year. He had heard that it was extremely well conducted—that the patients were well treated—and that the whole establishment was carried on in a highly creditable manner. Of this, however, he had no knowledge himself. But he had also heard of a board of medical gentlemen whom his royal highness the commander-in-chief, had called on to examine it, and who gave a very different view of the establishment. After what the noble lord had said, he was at a loss to state the matters contained in the report of those gentlemen. Amongst these were Dr. Macgregor and Dr. Franklin, men of acknowledged judgment; and when he found that these persons, so instructed by the commander-in-chief, had performed the duty allotted to them, and had given a very different account of the institution from that which he had heard, he thought it was a subject that deserved to be inquired into. These gentlemen, in their report, stated, that so far from success, there had been great failure—that so far from there being great novelty, the system was almost entirely old. Many of the objections contained in the report, if well founded, were in his mind decisive. It had been said, that a combination of medical men connected with the army was formed against sir William Adams, who was at the head of this establishment. This, he thought, was not a fair way of treating individuals who held opinions different from those maintained by that gentleman. If they had entered into a conspiracy to destroy the fair fame of sir W. Adams, it would be a good reason for removing them from their situations. The truth was, that in his opinion they had entered into no such conspiracy: they appeared to be warranted by facts in the conclusion at which they had arrived: they had indeed made out a case of almost entire failure. The noble lord said, that new and successful means had been resorted to for restoring the sight of patients in this establishment, while the medical gentlemen declared that there was no novelty and no success. How, then, were they to judge between the noble lord and the gentlemen whom he had mentioned? For his own part, he thought that in cases of opacity of the cornea, and other diseases of the eye, Dr. Macgregor, Dr. Franklin, and other medical men were better judges than the noble lord. If he thought that the disabled soldier would obtain relief from this new system, as it was called, he would willingly vote a much larger sum than 2,000*l.*; but he very much doubted that any such benefit would be derived from it. In one of the abstracts, giving an account of 15 persons who had been examined, the classification was as follows:—One was improved; six improved in part; three in the same situation: four said they were better; and one had the right eye rendered blind by the operation. There was a rule in the army, that no operation should be performed on a soldier in an hospital without the concurrence of a board of surgeons. Sir William Adams, it appeared, had not proceeded on this principle, and the report very properly recommended, that he should not be allowed to perform operations, or, as the gentlemen expressed it, to put out the eyes of people under his care, unless another surgeon were present to give his opinion on the particular case. This recommendation, he trusted, would be attended to. It was alleged, that the failure was in many cases to be attributed to the number of desertions that took place from the establishment. He did not wonder that desertions should occur; for those who saw the eyes of their companions injured, would naturally be anxious to get away to preserve their own.

Mr. *Goulburn* stated, that there was a militia set on foot in the Ionian islands, the drilling and superintending of whom had devolved on the staff. Whether they were so occupied at present he could not say. The hon. gentleman, in answer to the observation made by Mr. Hume, observed, that that there was a saving of upwards of 11,000*l.* on the staff in the Ionian islands, which he conceived to be a very considerable diminution of the expense. It was under this head a deduction from the military expenditure; and to that extent the country must be a gainer, even admitting that the general scale of expense in these islands was not a decreasing one.

Mr. *Barham* said, his hon. friend had taken an erroneous view of the Ophthalmic establishment. He had got hold of a pamphlet, entitled "A Report submitted to the commander-in-chief on Ophthalmia;" and he seemed to conclude that it contained the judgment of a board of persons, to whom it was referred to decide on the disputes relative to this establishment. This was entirely a mistake: it was a private publication, printed by themselves, and was merely the reply of one party to the statement of the other. The hon. gentleman stated the number of pensions granted for diseases in the eye before the appointment of the Ophthalmic institution, and the number of persons pronounced incurable by army-surgeons cured at the Ophthalmic institution, in order to prove the utility of that institution.

Mr. *Price* said, he had conversed with many persons who had relations in the hospital, all of whom concurred in speaking of it in terms of the highest praise. There were some who, after having been three or four years in other places under the army surgeons, and discharged at length as incurables, were restored to sight by sir William Adams.

Mr. *Hutchinson* said, that the respectable individual at the head of the establishment now under consideration, had been hardly dealt with in many instances, and regretted that his hon. friend, the member for Shrewsbury, should have spoken as he had, under a misconception of the services which that individual had rendered to thousands afflicted with the most distressing malady. His hon. friend seemed not to be aware that the experiment had proved successful after a trial of ten years. He did not impute to him any improper motive, but he was satisfied in his own mind that a conspiracy was formed against sir W. Adams by other persons, and that the most satisfactory evidence could be produced on the subject, if the House should deem it expedient to refer it to a committee. It was not his intention to attack the army medical board, but in his soul he believed that a conspiracy existed somewhere, the object of which was not only to injure sir W. Adams, but, if possible, to annihilate his professional reputation and practice. This hostility appeared to have originated in the ophthalmic controversy which was brought upon that gentleman by his having undertaken to cure the opthalmia in the army, at the solicitation of government, after application had been made to every other quarter without success. The House and the public at large ought to be made acquainted with this most disgraceful combination, and the more so as some persons of influence with the public had lent themselves to the purpose, by which means the public had been deprived in too many instances of the benefit of his skill and experience. The weapons employed by this confederacy were not those of fair competition. The adversaries of sir W. Adams had resorted to means more disgraceful, but far more effective. They had falsely and maliciously misrepresented his character and professional conduct; they had worked upon the fears of the timid, misled the judgment of the cautious, and attempted to prejudice all those who had not the means of ascertaining the truth. It was therefore to be hoped that the House and the country would protect a greatly injured individual, for it was impossible but that he must have been seriously injured in his professional practice by the efforts of so extended a conspiracy as had existed against him for the last five years. The whole offence of sir William Adams was, that he had successfully combated a most destructive disease, which had previously resisted the utmost efforts of the medical profession. It was a melancholy fact, that upwards of 6,000 soldiers had been dismissed from the service blind with opthhalmia. He had gone through the whole establishment himself, and seen several soldiers who had been blind for four, and some of them ten years, restored to sight by his skill.

Mr. *Bennet* read an extract from the report of the three medical gentlemen appointed by the board, in which they stated, that the appearances were still more unfavourable than before. He did not mean to deny that sir W. Adams had performed great cures, but that they were not so numerous as to justify the continuance of the establishment.

A Member, whose name we could not learn, asked whether it was the intention to keep up the volunteer infantry, as the cavalry alone, he thought, should be retained? Another item was 30,000*l.* for the local militia, which was a useless expenditure, as that force was never likely to be called out again.

Lord *Palmerston* replied, that there were no charges for infantry, and that it was the temporary and superseded character of the local militia which occasioned the expense now charged under that head. What were called skeleton waggons, were in perfect repair, and it would be against every principle of economy to sell or destroy them. The art of driving them was not to be acquired at once by a peasant or a ploughman. He thought Sandhurst preferable to Marlow for the situation of the military college. The commander-in-chief had had an increased allowance since 1814, but it was in lieu of other allowances previously given to field-marshals. The duke of Wellington got the same, the fluctuating allowances of field-marshals having been exchanged for a fixed sum. He then proceeded to defend the salary assigned to the judge-advocate, which he maintained was deserved by the services of that officer, who was in constant communication with the military commanders at Ceylon, the Cape, the Ionian islands, and also in Ireland, now that the office of judge advocate was abolished in that country. With respect to the observations which had been made on the Military College, they did not appear to him to be well founded; and really as to the calculations of the hon. gentleman regarding it, he confessed his inability to follow them. He maintained, that not more than a proper number of commissions had been granted to the cadets educated there, and those only upon a full conviction of the merit of those to whom they were assigned. He must maintain, that due regard had been paid to the officers on half-pay, in giving them a preference to vacant commissions; they succeeded to them as often as was consistent with the interests of the army, but certainly not on all occasions; for if none but they were thought fit to succeed to them, there would be an end of all emulation in the army as there would be an end of all promotion. A noble lord had asked him how he reconciled with the constitution and the articles of the Mutiny act, the levying of 11,000 men without the consent of parliament, which had been ordered by the Crown in October last. To this he would answer, that the circumstances of the times were so pressing as to require the assemblage of such a force, and that it had been communicated formally to parliament as soon as it met, and had received its consent and ratification. In conclusion, he defended the Ophthalmic establishment; and stated that though sir W. Adams, whom he highly eulogised, had been severely attacked by several medical men in the army, their censure had never been formally communicated to him, and indeed was only known to the public by report. He himself had the highest opinion of his skill; for he could say, from his own personal knowledge of the fact, that he had cured many individuals who had been blind for a long series of years.

Lord *Nugent* maintained, that the answer which the noble lord had just given to a question proposed to him by a noble lord was by no means satisfactory. Those 11,000 veterans were certainly levied in a manner contrary both to the Bill of Rights and to the articles of the Mutiny act.

The *Chancellor of the Exchequer* said, that he could never be brought to believe that there was any thing blameable in the transaction alluded to. The Crown had called those troops into existence, it was true, in October last; but no sooner had parliament assembled, than this fact was made known to it.

Lord *Palmerston* maintained, that, according to the argument of the noble lord, the Crown could not, in any emergency, however great, levy a number of men without the consent of parliament. If this were the case, in what a dangerous situation would the country be placed, if a foreign foe were to land in the country during a dissolution of parliament!

Lord *Nugent* was ready to admit, that

in case of actual insurrection, or the landing of a foreign force in the country, such a privilege might be allowed to the Crown as had been recently assumed by it.

The resolution was agreed to; as were the votes of the various sums to meet the expenses of the army.

HOUSE OF COMMONS.

Monday, June 5.

Petition of William Cobbett respecting the Current Value of Money.] Mr. Coke, of Norfolk, presented a Petition from William Cobbett, of Botley, in the county of Southampton, farmer, setting forth,

"That it is essential to the harmony, happiness, and safety of every civil community, that the law afford equal protection to all the members thereof, but that, owing to the imperfection inseparable from human institutions, cases will sometimes arise where not only the law, how well soever intended, is inadequate to the giving of protection against wrong, but where the wrong proceeds directly from the law itself, and it is to such a case (a case to meet which the right of petitioning the legislature is peculiarly adapted) that the Petitioner now beseeches the attention of the House; that the Petitioner has suffered, and is still suffering, great and grievous hardship, and is in danger of suffering still greater and more grievous hardships, from the operation and effects of acts passed by the late parliaments, and particularly from an act passed on the 2nd of July, 1819, intituled, "An Act to provide for the gradual Resumption of Cash Payments by the Bank of England;" that in the year 1805, and in the eight immediately succeeding years, the Petitioner purchased and improved an estate, consisting of lands and tenements, in the county of Southampton, at the cost of 30,000*l.* and upwards, and that at the close of the above-mentioned period, he gave a mortgage on the said estate for 13,000*l.*; that the Petitioner, owing to circumstances uncontrollable by him, has not been able to keep discharged the interest due on the said mortgage agreeably to the letter of the contract, and that he, having some time back given quiet possession to the mortgagee, has now received a notification from the mortgagee's executor (who has acted in this case with all possible mildness and delicacy), that this latter must, in due execution of his trust, proceed to an immediate foreclosure of the mortgage, and consequent sale of the said estate; and against this proceeding, which under the present circumstances, and as the law now stands, must be ruinous to the petitioner, and deeply injurious to all who have claims on his pecuniary resources, he earnestly and most humbly implores the protection of the House: It is with extreme regret that the petitioner finds himself compelled to trespass on the time of the House, but when the magnitude of his sufferings shall be duly considered, together with the circumstances that his case is the case of thousands, whose sufferings differ from his merely in degree, he hopes that the House will permit him to explain the causes of those sufferings, and to state the grounds on which he rests for obtaining that relief, which he most humbly seeks, and which cannot be obtained without the protecting interference of the House; that the chief immediate cause of the suffering injury and wrong of which the petitioner complains, is the rise which, since the aforesaid mortgage was given, has taken place in the value of the current money of the country, compared with the market price of the various productions of the land; and that this rise in the value of money has been produced by measures and acts of the late parliaments, more especially by the act afore-mentioned, passed on the 2nd of July, 1819, which measure and acts could not possibly have been in the contemplation of the petitioner at the time when the mortgage-contract aforesaid was made; seeing that, from the resolutions which the legislature adopted in 1811, it was clearly to be inferred that the current money had experienced no depreciation at that time, and that, of course, no laws would ever be passed recognizing such depreciation, and causing the value of money to be raised, both which have in effect been done by the provisions of the aforesaid act of the 2nd of July, 1819; with regard to the proportion or degree of this to him injurious rise in the value of money, the petitioner begs leave to state, that during the six years immediately preceding the period when the aforesaid mortgage was given, the average price of wheat was 104*s.* the quarter; that, during the six years which have succeeded the date of the said mortgage, the average price of wheat has been 75*s.* the quarter; and that therefore the measures and acts aforesaid, relative to cash payments by the Bank of England, have raised the value of money as affecting the petitioner, have augmented, in fact, the sum borrowed by him on mortgage, and have, even if the relative price of wheat alone be taken as the basis of calculation, given to the mortgagee 104*l.* for every 75*l.* lent by him to the petitioner; but the petitioner begs leave further to state, that in order to arrive at a just conclusion as to the degree of the rise in the value of money, as applicable to the present case, the relative price of the article of wheat ought not alone to be taken as the basis of calculation; but that, if it were not to render the representation of the petitioner intolerably tedious, the relative price of all the articles of farm produce ought to be exhibited, in order to form such basis; first, because wheat, being an article of indispensable use and universal consumption, will generally be the last in point of time to experience a decline in price from a rise in the value of money, and will also experience this decline in a less degree than articles with which the community in general can more easily dispense; and, second, because the price of wheat is liable annually to be very greatly affected by the nature of the seasons, which is not the case with regard to other articles of produce, which require a process of years to bring them to a state of maturity; while, therefore, the petitioner abstains from a prolix enumeration of these latter, he thinks that, in bare justice to his case, he ought to state that, during the six years immediately preceding the date of the aforesaid mortgage, the average price of fat hogs was 16*s.* a score, that of a good cow, 22*l.*, that of a two year old cart colt 40*l.*, and that of a South Down ewe at Weyhill fair 42*s.*; and that, during the six years which have elapsed since the date of the afore-mentioned mortgage, the average price of fat hogs has been 9*s.* a score, that of a good cow 12*l.*, that of a two year old cart colt 18*l.*, and that of a South Down ewe at Weyhill fair 25*s.*; the petitioner does not lay this statement before the House as being in all its parts minutely correct, but, after the most diligent inquiry and the most mature consideration, and with an anxious desire to surpass in no instance the boundaries of fact, he declares to the House that, to the best of his knowledge and belief, the statement which he has here respectfully submitted is substantially true; and from this statement it results, that upon the whole of these last-mentioned important articles of agricultural produce there has taken place, since the date of the aforesaid mortgage, an average decline in price to the amount of more than one-half, whence it will be manifest to the House, that if the mortgage were now to be paid off, without any regard had to the change in the value of money, the petitioner would, in the proportion that the price of land has been affected by the fall in the price of these articles, have to pay in fact double the sum borrowed by him on the said mortgage, and that, amongst the ultimate consequences, not to be wholly unexpected in such a case, might be the total ruin of the petitioner, and the beggary of every one dependent on his pecuniary means; that against consequences so cruelly injurious, and so manifestly speedily approaching, the petitioner beseeches the House to protect him; and that he now, with due deference to the judgment of the House, proceeds briefly to submit the grounds on which he rests his claim to that protection; that the petitioner thinks it will not be denied, that without money there can be, in a community constituted as this is, nothing which can be correctly called property, because it is by the use of money, and by that alone, that the possession or enjoyment of any other thing can be obtained or secured; that money is to all other kinds of property what blood is to the other constituent parts of the animal body, the functions of which parts must have blood to exist with, or cease to exist at all; that without money there can be no contracts relative to the transfer or pledging of other property; that the amount of the money is a principal and vital condition of the contract; that, if the value of the money be changed, subsequent to the making, and previous to the fulfilment of the contract, the contract is violated in the point most essential to its just fulfilment; that the money is described to be "good and lawful money," by which must necessarily be meant the money which is still in existence and in common use under the authority of the legislature at the time of making the contract; that every subsequent step with regard to the fulfilment of the contract ought to be regulated according to the money in which the contract was made, and not according to money of a different value, and that to adopt a contrary principle would be to introduce into bargains and agreements between man and man such uncertainty and confusion, and to place parties to contracts in such great and constant peril, that confidence as to all matters of property, must speedily be wholly destroyed; that if the House concur with the petitioner in the foregoing propositions, as he begs leave humbly to express his hope that the House will, he has only further to represent that the money now in circulation is not the same as that which was in circulation at the time when the mortgage aforesaid was given by the petitioner; that the change, to him so injurious, in the value of money has been produced by measures of the Bank, authorized by acts of the legislature, and by acts of the legislature itself; that these measures and acts could not (for the reason before stated) have been in the contemplation of the petitioner at the time when the contract was made; that the great and grievous sufferings to which he is subjected, in common with thousands of others have not arisen from causes which were at all within his control, or against the effects of which any degree of human prudence or caution could have secured him; that the rise in the value of money the fall in the value of land, and the consequent loss to him during the progress of this dreadful evil, as well as in its fatal result, have not been occasioned by untowardness in seasons, by failure in crops, by vicissitudes of commerce, or by visitations of God, but solely and entirely by legislative measures and acts, which have changed the value of money, altered the effects of his contract aforesaid, and which, without any act on his part either of illegality or improvidence, have, if the law as it now stands be enforced against him, wholly despoiled the petitioner of his estate; and the petitioner therefore, beseeching the House to take the premises into their indulgent consideration, most humbly prays, that they will be pleased to afford him relief from his sufferings, by reducing the current money to the value which it bore in 1813, or by providing for a revision and rectifying of contracts, or by adopting such other means and measures as the House shall, in their wisdom and justice, deem to be most meet."

Ordered to lie on the table.

Reform of Parliament—Petition from Kingston-upon-Hull.] Mr. *Sykes* said, he held in his hand a petition signed by a number of persons of property and character, in favour of a limited alteration in the representation of that House. The petitioners were the freeholders of the county of the town of Kingston-upon-Hull. Its freeholders, amounting in number to between six and seven hundred, considerable also in property, were not allowed to vote in the election of knights of the shire for the county of York, nor of burgesses for the town of Hull. Though freeholders, they were wholly unrepresented, while at Bristol and Southampton, which were counties within themselves, the freeholders were allowed to vote for the representatives of those places. The present petition had arisen out of the discussion on the Grampound case, and the petitioners prayed, in the event of the transference of the right of return from Grampound to the two ridings of the county of York, that they may be permitted to vote at such election. He entirely concurred in the views of the petitioners, and considered such a principle of reform both safe and practicable. He took that opportunity of giving notice of his intention, either to ask for leave to bring in a bill to that effect, or of moving a clause with such a purport, to be embodied into the Grampound Disfranchisement Bill.

Ordered to lie on the table.

Petition from Liverpool in favour of Timber Duties.] General *Gascoyne* presented a petition, which he said was very respectably signed by the merchants and ship owners of the town of Liverpool. It was different from the petition which he had lately the honour of presenting to the House. It was founded upon a report which had gone abroad of an intended alteration of the duties on timber coming from the Baltic. It pointed out the advantages to be derived from a continuance of the timber-trade to our American colonies, which among its other benefits occasioned a consumption of British manufactures which could not be expected from the Baltic, if we should renew the timber-trade with that quarter by lowering the duties. Such decrease of the duties would, they observed, not only be extremely injurious to the ship-owners, but to the seamen now employed, and to those emigrants who had gone out to the Canadas.

Sir *Isaac Coffin* said, that fron his own knowledge he could assure the House that not a single emigrant in Canada was employed in cutting down the timber imported from America.

Ordered to lie on the table.

PETITION FROM THE SHIP-BUILDERS AND SHIP-OWNERS OF LONDON, IN FAVOUR OF TIMBER DUTIES.] Mr. *Marryat* presented a petition from the ship-builders of the port of London, stating the distress under which they, and those dependent on them laboured. They were not enabled to give employment to the one-third of their former amount. It might be thought that they would be favourable to a remission of the duties on timber coming from the Baltic, as the timber would be cheaper; but they were not so. They had the good sense to see, that if that trade were opened, it must have the effect of destroying the trade with our North-American colonies, which they stated would be most injurious to our shipping trade. The petition, he observed, was signed by one of every respectable ship-building firm (with one exception) at both sides of the water, from one end of the river to the other.

Ordered to lie on the table.

Mr. *Thomas Wilson* presented a similar petition from the ship-owners of the city of London. It was, he observed, most numerously and respectably signed. It was said, that the decrease of the duties on the Baltic timber was intended to conciliate the northern powers, and to increase our trade with them: but at a period like the present, with the enjoyment of the liberty of the press, and when our newspapers were circulated in all parts of Europs, those powers must see the situation in which this country was placed. They knew the amount of our national debt, and the deficiencies in our ways and means, and they could therefore have no reason to owe us a grudge for a duty on timber. It was not so offensive to them as the duty on foreign wool, which was imposed in the fifth year of peace. It was objected, that the relaxation of the duties on the Baltic timber would open a larger field for the exportation of our manufactures, but it should be recollected, that we obliged our colonies to deal with us exclusively, and they were enabled to do so, to a large extent, by means of this trade; but if we took our timber from the powers of the Baltic, we could not oblige them to deal with us, and the chance was, that, having the choice of markets (which our American colonies had not), they would go wherever they found goods cheapest. His conviction was, that if this trade were opened, it would have the effect of annihilating our trade with our North American colonies, without giving us any thing like an adequate return. It would throw nearly 200,000 tons of British shipping out of employment. It was contended, that this trade did not employ any of the emigrants who went from this country to Canada; but even admitting that to be true, he maintained that, while it gave employment to so large a portion of our capital, and to so many of our seamen, it ought not to be given up.

Sir *W. Curtis* said, that if ever there was a body of British subjects entitled to the consideration and respect of parliament, it was the present petitioners.—During all the difficulties of the war, they had been ready to make every sacrifice for the safety and honour of the country. He hoped that no interference would be made with those navigation laws which had so essentially led to our maritime greatness.

Mr. *Marryat* * said: Mr. Speaker; I feel it my duty to bear testimony to the truth of the allegations contained in the petition now in the hands of my honourable friend the member for the city of London; and to give my best support to the prayer of the petitioners. They state that they are labouring under great and serious difficulties, as well from the depression of commerce, as from the competition of foreign ship owners; and the facts of the case unfortunately bear them out too well in the assertion; for no description of property has, I believe, been depreciated to such an extent as that of the British ship owners. I admit, that on the breaking out of the late war, the value of shipping rose, the rate of freight advanced, and that the ship owners, in common with the landholders, the manufacturers, and all other classes of the community, enjoyed for a time a considerable share of prosperity. Ships, however, are but of limited duration; they last from fifteen to twenty years, according to the goodness of the materials of which they are built. The war continued more than twenty years; and therefore almost every merchant vessel now in use, has been built at the high rate of war charges. The war gave us a monopoly of the carrying trade of almost all the world, and ships were built to meet the demand; but at the peace we restored most of the colonies we had conquered to their former owners, and each nation resumed that share of commerce which she had formerly enjoyed. To add to the distress of the ship owners, near a thousand sail of vessels which had been engaged in the transport service were at that very time discharged. The surplus of tonnage then became so great, that it was impossible to procure employment for vessels, even at freights which would pay the expences of navigating them; and the consequence was, a great depreciation in their value. In proof of this, I will state to the House, that about the year 1810, I built one ship, and purchased another, of rather more than four hundred tons burthen. Each of these ships cost me 14,000*l*. The depreciation in their value, arising from age, may be estimated at 5,000*l*.; but such has been the fall in the price of ships, that these vessels are only valued, in the policies of insurance effected upon them for the voyages on which they are now engaged at 3,800*l*. each.

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* From the original edition published by the committee of the society of Ship-Owners.

It would be unfair not to admit that the return of peace did fortunately open some new channels of trade, which provided employment for part of our surplus shipping. The private trade to India, which was opened on the renewal of the company's charter, was one of this description; and according to the statement of a noble lord in another place, 61,000 tons of British shipping were employed in it last year. The losses, however, in this branch of trade have been so great, that many of the ships at first engaged in it, have quitted it for the timber trade to the British colonies in North America, and others are daily following their example. Peace also restored a free communication between the powers in the Mediterranean, and for some time we enjoyed almost a monopoly of their carrying trade. It is well known that the British flag was the only European flag respected by the Barbary powers. Our ships, therefore, navigated the Mediterranean in perfect security, and were insured at peace premiums; while those of other nations were exposed to capture, and consequently were obliged to pay war premiums. Indeed, they had not only to insure their ships and cargoes, but their crews also; for such policies were frequently effected at Lloyd's. The masters were usually valued at 100*l*., the mates at 80*l*., and the seamen at 50*l*. each; which sums, in case of capture, were appropriated to the redemption of the parties. This state of things gave us so decided a superiority in the carrying trade of the Mediterranean, that not less than five hundred sail of British ships were employed in the corn trade, between the Black Sea and the different ports of Italy, exclusive of the trade from one part of the Mediterranean to another. But, sir, in one of those fits of magnanimity to which we became subject, in consequence of being hailed as the deliverers of Europe, we thought proper to equip an armament against the dey of Algiers (the only ally who remained faithful to us during the whole war,) in order to put an end to the predatory practices of the Barbary powers; and we certainly did achieve the liberation of about five hundred Sardinians, Neapolitans, and other foreigners, at the expence of the limbs and lives of a far greater number of British seamen; of more (as I understand) than a million of of money; and the farther expense, of throwing about eight hundred British ships and ten thousand British seamen out of employment; for the result of this enterprise was, that all other European powers could navigate the Mediterranean with the same security as ourselves, and being able to sail at less expence than we can do, they immediately supplanted us in this carrying trade, which does not, I believe, give employment to one single British ship at the present moment. The other branch of trade which opened, on the return of peace, and by far the most extensive and important of the whole, is the timber trade with the British colonies in North America, which last year employed no less than one thousand five hundred and twenty sail of vessels, of three hundred and forty thousand tons burthen, and navigated by seventeen thousand six hundred British seamen. As I before observed, the private trade to India is on the decline, and the carrying trade in the Mediterranean is totally lost; this trade, therefore, is the sheet anchor, the last remaining hope of the ship owners, and the House cannot wonder at the alarm they express in their petition, at an attempt to deprive them of this, their only resource.

So far from the interests of the ship

owners being in an improving state, the depreciation in their property is increasing more rapidly than ever, as I shall prove, by quoting actual sales of ships, which have taken place within these few months, owing to the insolvency of their owners. The Sesostris of four hundred and eighty-seven tons burthen, was launched in 1818, and cost 12,175*l*. She was sold in 1820, after having made one voyage, for 6,300*l*. The Midas, of four hundred and twenty tons, was valued in 1818, at 6,300*l*.; was repaired and coppered that year at Liverpool, at an expense of 3,500*l*.; and in 1820, was sold for 3,200*l*. The Hebe, of four hundred and seventeen tons, was valued in 1818, at 6,000*l*. and sold in 1820, for 3,250*l*. The St. Patrick cost, in repairs and fitting, in 1818, independent of the then value of the ship, 7,100*l*.: and was sold in 1820, for 3,000*l*. The Lady Raffles, of six hundred and forty-six tons, was built in 1817, and cost 23,000*l*.; after making one voyage only, she was sold in 1820, for between 12 and 13,000*l*. These facts show the utter inability of the ship owners to bear any farther disadvantage, and that the loss of the timber trade with the British colonies in North America, must complete their ruin.

If it is supposed that the ships and seamen now employed in bringing timber from the British colonies, might be engaged in the same trade to the North of Europe, the answer is, that two circumstances render this impossible. In the first place, the voyage to the Baltic is so much shorter than that to North America, that the same trade would not occupy half the number of ships or men. In the next place, all the trade between Great Britain and her colonies must be carried on in British ships only; but that with the Baltic would be carried on chiefly in foreign ships. I have moved for returns which will lay the present state of this trade fully before the House; but in the mean time, I am enabled to state, from official documents, that of 101,117 tons of shipping employed last year, in the trade between this country and Norway and Sweden, only eighteen thousand eight hundred and twenty-seven tons were British and eighty-one thousand seven hundred and forty tons were foreign. This must be so in the nature of things; for timber, iron, hemp, flax, provisions of all sorts, and seamen's wages are much lower in the North of Europe than in Great Britain. The heavy taxation to which we are necessarily subject, in order to provide for the interest of our national debt, raises the price of labour, and of every thing that is produced by labour; and therefore to expect that a country burthened with taxation as this is can compete with other countries where taxation is comparatively light, is to suppose that a horse staggering under a heavy load, is likely to win a race against one that carries only feather weight. If the present protecting duties, in favour of timber from the British colonies are reduced, and the trade transferred to the Baltic, the inevitable consequence will be, that the tonnage employed in it will be diminished one half, and that of that half four-fifths will be foreign; so that twelve or thirteen hundred sail of British shipping must either remain without employment, or be thrown on the other already overloaded branches of British commerce, to the incalculable injury of the ship owners.

The alteration in these protecting duties was first recommended to the House, by the hon. member for Taunton (Mr. Baring), on presenting a petition from certain merchants of the city of London praying for the abolition of all duties merely protective from foreign competition. The right hon. the president of the board of trade, who expressed strong objections to taking up the doctrines contained in that petition as general rules of practice, nevertheless coincided with him in the expediency of his suggestion as to the protecting duties on foreign timber, and announced his intention of bringing forward some proposition of that sort, in the course of the present session of parliament. I really heard that declaration both with surprise and concern; with surprise, as I had ever been accustomed to hear him support measures founded on true principles of commercial policy; and with concern as I am conscientiously persuaded, that of all the wild and extravagant projects that would follow the unqualified adoption of the principles so broadly laid down in that petition (but which the hon. member who presented it most judiciously qualified in his speech), none could be imagined more pregnant with mischief, not only to the interests of the ship owners, but to the best interests of the country at large, than the very measure which the president of the board of trade thought proper to stamp with the seal of his approbation.

Before I point out the mischiefs to

which I have alluded, I shall make a few observations upon the specious arguments by which the measure in contemplation has been supported. In the first place, it has been argued as if it was a question between parties who have equal claims to our preference; whereas, in point of fact, it is a question between our own fellow subjects and foreigners. We have been told that we ought to consider all the world as members of one great family. Now, Sir, I cannot carry my notions of consanguinity quite so far. I am ready to consider all the inhabitants of my own country as one great family; but I must consider the inhabitants of all other countries as so many other great families; and when I am called upon to injure my own countrymen in order to benefit them, I look upon the application in the same light, as if I were desired to starve my own children, in order to provide for the children of strangers, and reject it accordingly. Then, Sir, we are told that the protection we gave to the timber trade with our own colonies, is dictated by a spirit of hostility towards the northern powers of Europe, and has excited great dissatisfaction against us throughout the continent. The system of imposing protecting duties, in favour of the produce of their colonies, has uniformly been acted upon for centuries past, and continues to be acted upon to the present moment, by every power in Europe; and therefore no umbrage can reasonably be taken against us, for adhering to the universal practice, But the complaint that this branch of trade with our colonies originated in a spirit of hostility towards the northern powers comes with a very bad grace from them, as the truth is, that it originated not only in their hostility, but in their perfidy and ill faith towards us. These powers, notwithstanding the Berlin and Milan decrees of Buonaparte, continued an intercourse with this country, which was carried on by means of licences, till the year 1811, when at the command of their great master and our enemy by a sudden and simultaneous movement, they confiscated every vessel in their ports that came from this country, together with their cargoes, to the value of not less than seven millions of money. They probably fancied that we were dependent upon them for our supply of timber, hemp and other naval stores; and that by cutting off all communication with us, they would oblige us to make peace on such terms as they might think proper to impose. But Great Britain excluded from the old world, found out a new one in her own colonies, and discovered resources in them, which enabled her not only to maintain the contest, but to bring it at length to a successful and glorious termination. She then explored the forests of Canada, and drew from them those supplies of timber which she had formerly procured from the Baltic; and now that this trade has grown up to its present height, and is carried on with equal advantage to ourselves and to our colonies, we must surely be dotards and idiots to sacrifice our mutual prosperity, at the request and for the benefit of those who wish to regain that which they lost by their own ill-faith and injustice.

Great stress is laid on the advantage we should derive from what is called a more liberal system towards foreign powers; and we are told that if we take more from them they will take more from us. These cargoes of timber, if imported from our own colonies, are and must be paid for in goods from this country, as they are allowed no commercial intercourse with any other; but if imported from the Baltic, they will be drawn for in bills of exchange, and the proceeds invested wherever they can be employed to the best advantage. That foreigners can undersell us, is not only matter of just inference from the weight of taxation under which we labour, and from which they are exempt, but is also a plain matter of fact, admitting of demonstration. The Havannah is a free port into which the goods of all nations are admitted on equal terms: the number of vessels that entered there last year from Great Britain was less than one in ten of those that entered from the other countries of Europe; a plain proof, that nine-tenths of the articles required for the consumption of the inhabitants of Cuba are procured cheaper from other countries than from Great Britain. This fact is confirmed by another of equal notoriety, that the vessels engaged in the timber trade from the Baltic, instead of taking goods from this country in return for their cargoes, were so generally in the habit of going home in ballast, that in order to encourage them to take some small portion of British manufactures, an order in council was issued permitting the masters and crews to ship private ventures for their own account, without subjecting the vessels to any extra expense in clearing at the custom-house. No great extension of the sale of our manufactures in Europe appears practicable, because every manufacturing nation has adopted a system similar to our own; and endeavours to secure the supply of its own consumption, for the encouragement of the industry of its own subjects. The only marts for our manufactures which we can hope to improve, are our colonies, and those distant nations who do not manufacture for themselves. Our home consumption, and our colonies, and dependencies, take off seven-eighths of all our manufactures; and to throw this trade open, as the opposers of all restrictions advise, in order to have a chance of extending the other one-eighth, would be acting, with the desperation of a gamester who would play with the odds seven to one against himself, rather than not play at all.

Another argument used in favour of procuring this timber from the Baltic is, the very inferior quality of that which is brought from North America. It cannot be denied, that all new concerns are conducted with less expertness than those which have been long established. The American logs of timber are not so neatly squared as those from the Baltic, and measure to great disadvantage; but I understand that this defect is gradually decreasing, and that the difference between the one and the other, in this respect, will soon be imperceptible. Much of the prejudice entertained against American timber, arose from its being applied to purposes for which it was unfit; some particular descriptions of it, which will last under cover, instead of being used for inside work, were exposed to the weather, and consequently soon decayed; but as the quality of it became better understood, this objection to it was removed. With respect to its general inferiority, the demand for it such as it is, and the repute in which it is held, are proved beyond the reach of controversy, by the increase of the trade, from eighty thousand tons of shipping that were employed to bring it in 1811, to three hundred and forty thousand tons in the year 1819.

Other advocates for the Baltic timber, assert, that the quantity of tonnage employed in bringing timber from the British colonies last year, was the effect of over-trading; and that the wood lies on hand, and cannot be sold. The increase in the tonnage has not been sudden, but gradual and progressive, and therefore does not wear the appearance of over-trading; but if it really is so losing a trade, it must soon die a natural death, and therefore to put an end to it by new legislative enactments is altogether unnecessary. An hon. baronet has told the House, that this timber is not the produce of Canada, but of the United States of America. Admitting this for the sake of argument, I should say that whether we procure our timber from one neutral power or from another, is a matter of indifference; but that the securing the freight of it to British ships is a matter of great importance; and that this object, which is effected by importing it from the British colonies, would be lost by importing it from the Baltic. I readily concede to the hon. baronet, that at the commencement of this trade, when we were suddenly excluded from the Baltic, the demand for timber was so great, the price so high, and our own establishments for procuring it so inadequate, that the greater part of what was shipped from Canada, came from the United States; but I understand that at present our establishments are competent to the object, that our own population would be jealous of any interference with the employment on which they depend for subsistence, and that the price of the timber is so low, that it would not bear the charges of a double transport. I therefore believe the whole of the actual import to be the produce of our own colonies.

We are reproached with folly for bringing timber from such a distance, when we might procure it so much nearer home; and it is wittily observed, that it would be an improvement of the present system, to pass a law obliging all the vessels engaged in this trade with the British colonies, to return by the way of the Cape of Good Hope; or to enact, that the colliers from Newcastle, instead of coming direct to London, should go north about; as these measures would give still greater employment to seamen, at the expense of the consumers of the different cargoes. It is easy to place any subject in a ridiculous point of view, by exaggeration. In this manner, a likeness is converted into a caricature. The disadvantage to the consumers of timber, in consequence of its being brought from the British colonies in North America, is highly exaggerated. If brought from the Baltic, more money is paid for the timber and less for the freight; if from our own colonies in North America, less is paid for the timber and more for the freight; but the price to the consumer is not materially enhanced. If, however, this were the case, Great Britain would be acting on that system of policy which has governed her conduct in various similar instances. It has ever been her paramount object to keep up a numerous and hardy race of seamen, whose services she may command in time of war; and this she can only accomplish, by so extending her carrying trade as to find them employment in time of peace. With this view, she gives encouragement to the ship owners, not for their own sakes, but as the only instruments with which she can act, in pursuing her great object, the support of her naval power. With this view she gives bounties upon her fisheries, which this House has thought it wise to renew this present session of parliament. With this view, she prohibits the supply of this metropolis with coals from the nearest mines, by means of canals; but obliges the inhabitants, by law, to import them coastwise, from a greater distance and at a heavier expense. With the same view, she formerly gave bounties also on the importation of masts, timber, deals, and staves, from the British colonies in North America, which were only discontinued in the year 1781; and, in the same spirit, she now encourages that trade in British ships, by the protecting duties on timber imported from the Baltic in foreign ships.—All these measures are considered by our modern political economists as great practical errors as violations of their rule, to buy every thing where it can be bought cheapest. They would permit our fish, our coals, our timber, our colonial produce, and all other commodities, to be imported by foreigners. By this system they might perhaps make some saving in the freight of these articles, but it would be at the expence of that pearl of high price, our naval supremacy; for if we had no carrying trade we could have no seamen, if we had no seamen we could have no navy, if we had no navy we could have no security for maintaining our independence, but must run the risk of sinking into the situation of tributaries to some foreign power; and then we should find these cheap articles dear indeed. If the British lion, like the lion in the fable, will suffer his teeth to be drawn and his claws to be pared, he must expect, like him, to have his brains knocked out for his folly. There is a false economy in public, as well as in private life. More considerations than the mere prime cost, enter into the question of whether articles are really cheap or dear; and unless we value pounds, shillings, and pence more than either our safety or our glory, we shall never adopt the estimates of these advisers.

Having thus noticed the different arguments that have been urged in favour of the transfer of the timber trade from our own colonies to the northern powers of Europe, I shall now point out the mischiefs that would attend this measure. Official documents show, that this trade actually furnishes employment for one thousand five hundred and twenty-five sail of British vessels, manned with seventeen thousand six hundred and thirty-four seamen; being one seventh part of the whole carrying trade of Great Britain. The loss of such a trade would produce the most serious effects at any time; but more particularly in the present state of this country. It would occasion such a farther depreciation, in the already dreadfully depreciated property of the British ship owners, as must involve them, and all those numerous bodies of men whose interests are intermingled with theirs, in absolute ruin. The consequences of the loss of our carrying trade in the Mediterranean, after the expedition against Algiers, showed themselves in the number of distressed seamen who wandered, without food or shelter, about our streets. Their pitiable state excited general commiseration, and temporary relief was afforded them, by a liberal and patriotic subscription, till they were provided for in the following spring by this very timber trade to the British colonies. The loss of this trade would again plunge them into aggravated distress, and leave them without resource. They must either find employment abroad, and add to the naval force of foreign powers what they deducted from that of Great Britain, or be maintained by their respective parishes, and thus increase the weight of our already enormous poor-rates.—

Our exports to the British colonies, which have kept pace with the increase of this trade, must dwindle into insignificance; and the manufacturers and artisans who now find occupation and the means of subsistence for themselves and their families, in preparing goods for that market, will, like the seamen, be thrown out of employment, and must be maintained at the public expense.

The British landholders also have a strong interest in this question. The present duties on foreign timber are not only a protection to colonial timber, but to British timber also; the price of which would fall, in proportion to the extent of reduction on those duties. I have lately purchased British fir, at from 3*l.* 5*s.* to 3*l.* 15*s.* per load, which is certainly not more than a remunerating price to the grower; and any farther reduction would discourage gentlemen from extending those plantations, which contribute to the present embellishment, and may be essential to the future defence of the country. The British landholder is as much entitled to protection against foreign timber, as against foreign corn; and though the advocates for the system of buying every thing where they can buy it cheapest, wave the application of their principle to the Corn laws for the present, yet if they carry their point as to timber, they will establish a precedent against the landholder, of which they will avail themselves hereafter. *Obsta principiis* is a good maxim in politics as well as in medicine; and if the landholders are wise, they will resist, in the first instance, any interference with that protection which they derive under the existing laws.

Another mischief would attend the proposed transfer of this trade, which ought not to escape notice. Our commerce with our own colonies is under our own control, and independent of the decrees of any emperor, or the non-intercourse act of any foreign power; but that with other nations, depends only upon the will and pleasure of their respective governments, and by any change of policy on their part may be shut against us in a moment. In proportion as we extend the former, we become independent; but in proportion as we extend the latter, we become dependent; and (as the experience of the last war has taught us) expose ourselves to sudden revulsions, which may not only interrupt our national prosperity, but endanger our domestic tranquillity.

An evil of great magnitude that would arise from the loss of the trade with the British colonies, is the discouragement of emigration. Nothing can be of more importance to a country having a redundant population, without adequate means of employment at home, than to send her surplus numbers abroad, to situations where their labours will still contribute to her advantage. With this view, we voted last session of parliament 50,000*l.*, to assist individuals emigrating to the Cape of Good Hope; and this sum, I understand, has not only been expended, but exceeded, without providing means of conveyance for more than a small proportion of those who wished to embark for that destination. Within these few years, not less than fifty thousand individuals are said to have emigrated to Canada, at their own expense, and more are constantly embarking. On this point I speak from actual knowledge; several families having gone, some time ago, from the place which I have the honour to represent, and from my having been employed within these few weeks, to engage a passage for others, who have been induced by their representations to follow their example. I understand, too, that the tide of population, which ever follows encouragement, has set in very strongly to our colonies, from the frontiers of the United States, since the establishment of this timber trade; and I firmly believe, that, whether we shall establish in Canada a numerous, flourishing, and well-affected population, able and willing to serve as an effectual barrier against the future ambition of the government of the United States, or whether we shall have a thin, distressed, and disaffected population, ready to submit to the first invader, depends upon the decision we shall come to on the present subject.

The House ought to know, that the existing duties on timber, so far from depriving the northern powers of Europe of a fair participation in this trade, and operating as prohibitory duties, actually give them a greater share of it than is enjoyed by our own colonies. I have moved for papers which will give full information on this head; but, in the mean time, I am enabled to state the comparative imports into the port of London, for the last year, which were as follows:

Pieces of timber from our American colonies	52,412
Ditto from the Baltic and Norway	58,994
Deals from the former	812,699
Ditto from the latter	1,622,440
Staves from our American colonies	1,236,095
Ditto from foreign powers	1,897,902

From this comparison, the House may judge of the probable import into the other ports of the United Kingdom; and the conclusion to which it leads is, that nothing can be more unreasonable than the complaints of foreign powers of those existing duties, which place them at least on an equal footing with our own colonies. The complaint would come with more justice from the other parties that we do not give them that full protection in our home market, which, according to our colonial system, is the return to which they are entitled, for that double monopoly we impose upon them, of taking every thing from, and sending every thing to, the mother country, in British ships; thus making them marts for the consumption of her manufactures, and the foundation of her naval power. Even the most strenuous advocates for free trade, have applauded this system. Dr. Adam Smith, speaking of our Navigation law, says, " It is not impossible that some of the regulations of this famous act may have proceeded from national animosity; they are as wise, however, as if they had all been dictated by the most deliberate wisdom." In a subsequent passage he observes, " The act of navigation is not favourable to foreign commerce, or to the growth of that opulence that can arise from it;" and, after explaining this point, he concludes thus: " As defence, however, is of much more importance than opulence, the act of navigation is, perhaps, the wisest of all the commercial regulations of England." This testimony is the more valuable, as coming from the mouth of an unwilling witness, one of the greatest opposers of all commercial restrictions; who, however, acknowledges, that every other consideration ought to give way to the paramount object of maintaining our naval supremacy.

Some foreign writers of considerable eminence, have urged the same system that is now contended for by many of our own countrymen; the taking off all commercial retsrictions, and throwing trade entirely open. One of them, a man whose views of commercial and colonial policy are equally acute and profound, I mean the Abbé de Pradt, avows his object to be, not to increase but to diminish our national prosperity, and to apportion it more equally among the other powers of Europe. He declares, that our colonial and commercial monopoly is so predominant, that it calls for a coalition of all other nations to put it down, as much as such a coalition was called for, to put down the military despotism of Buonaparté. He says, that our colonies form a chain of fortresses that engirt the globe, and command the entrance of every sea; that we confine all the other nations of the world captives in their respective positions, of which we, their gaoler, hold the key; that our maritime superiority is so absolute, that unless the independence of the colonies, and a free trade with them can be obtained, all Europe ought to burn their ships at once, as they are reserved for no other fate than to be carried in triumph into the Thames. He lays down principles of colonial policy, shows that by conforming to them we have succeeded, that other nations by deviating from them have failed, and ascribes our prosperity to the superior wisdom of our political institutions. Here, indeed, he differs widely from our friends at home; who would persuade us that they are founded in folly, and that the sooner we get rid of them the better; but if the tree is to be known by its fruit (as we are taught by high authority to believe), we must admit the Abbé de Pradt to have taken the more correct view of this subject. The Abbé, too, tells us, that we ought to consider all the world as one large family; and to throw all the commercial riches of the world into one common stock, into which every individual might put his hand, and take out just what he wanted for his own use. But, Sir, we are the parties who must contribute almost the whole of this common stock; and should recollect that if so many hands are put into it, very little will come to our share. This proposal reminds me of one that was lately made by a certain set of gentlemen here, called Spencean philosophers; who, having a great taste for agriculture, but no land of their own to try their experiments upon, modestly requested that all the land in the kingdom might be thrown into a common stock, and equally divided among all the inhabitants. The motto of the standard under which we fight, Sir, is *Dieu et mon droit.* We must defend our rights and properties against all innovators, whether foreign or domestic; and I trust his majesty's ministers will never be induced, either by solicitations on the one hand, or menaces on the other (for the United States of America are at this moment trying to coerce us into the surrender of our carrying trade to our West India colonies), to give up the great foundations of our wealth and power.

The exertions of the mercantile petitioners to whom I have so often alluded, may be most usefully directed to the removal of those restrictions, by which British commerce is at present cramped and confined, and to the giving it all possible scope and expansion; but let them not interfere with those wise and salutary restrictions upon foreigners to which we owe the high rank we at present hold among the nations of Europe. I shall conclude, Sir, by recommending the following words of that enlightened statesman, lord Clarendon, to the serious consideration of his majesty's ministers. "They that shall be so honest and so wise, as duly to maintain the laws, thriftily and providently to administer the public treasure, and to preserve the sovereignty of the seas, that ancient true and best defence of these realms, that body, whomsoever it may be composed of, shall have the weight of England on its side; and if there can be any of any other frame, they must, in the end, prove miserable, rotten reeds." I have only to apologise to the House for having occupied so much of their time, and to thank them for the indulgence with which I have been heard.

Mr. *Baring* said, that it was not intended on his part, or that of those with whom he concurred, to interfere with any part of our colonial policy, the timber trade alone excepted, and that nothing was farther from his purpose than to injure the interest of our shipping. There was, indeed, no class with whose interest he would be more unwilling to interfere, than that connected with our shipping. But when the whole question should be regularly brought before the House, after due and deliberate consideration by the committee for the appointment of which he proposed to move, without making any observation, after the present motion was disposed of, he would enter fully into the discussion of this subject.

The *Speaker* suggested to the hon. member, who had just sat down, that, according to the arrangement of the business of the day, he could not regularly bring forward the motion, of which he had given notice, until the orders of the day were disposed of, those orders having the precedency of the notices. The right hon. gentleman also observed, that there were no less than 17 orders, some of which related to matters of considerable interest, and were likely to give rise to much debate. Therefore, the hon. member would no doubt feel the propriety of waving his purpose of bringing forward, so soon as he had just stated, the motion of which he had given notice, because, although he meant to make no observation upon that motion himself, he could not answer that others would not make so many as to produce a prolonged discussion.

Mr. *M. A. Taylor* took occasion to animadvert upon the practice which had of late crept into that House, of raising a discussion upon mere motions for presenting petitions. The House had been now about an hour and a half engaged in discussing the merits of a petition which was not yet laid on the table, and upon which of course the House was as yet incompetent to decide. Such a course of proceeding was obviously so irregular, whilst it interfered so much with the ordinary business of the House, that he hoped gentlemen would feel the impropriety of persevering in the practice.

Ordered to lie on the table.

Portsmouth Election.] Lord Clive reported from the Select Committee appointed to try the merits of the Portsmouth Election,—"That the committee had determined, that it appeared to the said committee, that the merits of the petition did in part depend upon the right of election; and therefore the committee required the counsel on both sides to deliver to the clerk of the committee statements in writing of the right of election, for which they respectively contended: That, in consequence thereof, the counsel for the petitioner delivered in a statement as follows; 'That the right of voting in 'the borough of Portsmouth, as contended for by the petitioner, is in the mayor, 'aldermen, and burgesses of the said borough only, such mayor, aldermen, and 'burgesses being resident within the said 'borough, and the limits and liberties 'thereof:' That the counsel for the sitting member delivered in a statement, as follows: 'That the right of election of 'burgesses to serve in parliament for the 'borough of Portsmouth is in the mayor, 'aldermen, and burgesses of the said borough only:' That upon the statement delivered in by the counsel for the petitioner, the said committee have determined, that the right of election, as set forth in the said statement, is not the right of election for the borough of Portsmouth, in the county of Southampton: That upon the statement delivered in by the counsel for the sitting member, the said committee have determined, That the right of election, as set forth in the said statement, is the right of election for the said borough of Portsmouth: That the said committee have determined, That admiral John Markham is duly elected a burgess to serve in this present parliament for the said borough; that the said committee have also determined, that the petition of the said sir George Cockburn did not appear to the committee to be frivolous or vexatious."

FOREIGN TRADE—SELECT COMMITTEE APPOINTED.] Mr. Baring moved, "That a Select Committee be appointed to consider of the means of maintaining and improving the Foreign Trade of the country, and to report their opinion and observations thereon to the House." The motion was agreed to without any observations, and the following gentlemen were appointed members of the said committee, viz. Mr. Frederick Robinson, lord Castlereagh. Mr. Tierney, Mr. Chancellor of the Exchequer, Mr. Baring, Mr. Lamb, Mr. Thomas Wilson, Mr. Irving, Mr. Canning, Mr. Finlay, Mr. Wilmot, Mr. Gladstone, lord Althorp, Mr. Wallace, lord Milton, sir John Newport, sir M. W. Ridley, Mr. Keith Douglas, Mr. Huskisson, Mr. Sturges Bourne, Mr. Astell, and Mr. Alexander Robertson;—with power to send for persons, papers, and records; and five to be the quorum: The petitions presented in the present session relating to commercial restrictions and duties on timber, were, on the motion of Mr. Baring and Mr. Marryat, referred to the said committee.

GRAMPOUND DISFRANCHISEMENT BILL.] Lord *John Russell*, in rising to move the order of the day for the committal of the bill upon this subject, stated, that he did not feel it necessary at present to occupy much of the attention of the House, as he had already so fully explained the nature and object of the bill. With respect to the question, whether the right of voting for Grampound should be merely extended to some adjoining districts, or that the right of election heretofore possessed by that borough should be altogether transferred to another and more populous district, he had no hesitation in saying, that the latter alone, which would amount to a real disfranchisement of this truly rotten borough, would be consonant to the principle and object of the bill. Therefore, if any instruction should be given to the committee, precluding it from making such transfer, and confining the right of election to the adjoining hundreds, he must regard that instruction as a complete departure from the spirit of this measure. He should hear with respectful attention any suggestion that might be offered by such gentlemen as the members for Northumberland or Surrey upon this subject, and he would be most happy if he could consistently acquiesce in their views, but as to his majesty's ministers, their conduct had been throughout so extremely inconsistent and wavering, that he did not think that any independent member could well care one straw about what part they might happen to take.

Mr. *R. Smith* spoke in favour of the bill, which he thought highly honourable to the public spirit, judgment, and perseverance of his noble friend. But the laudable object of the bill would, in his opinion, be lost if the right of election were not transferred from Grampound to some other district;—he meant to some great populous town, from which a direct representation in that House was really necessary. If such a representation had existed for the great towns in the North, he firmly believed that that quarter of the country would not have been agitated in the course of the last autumn. But he was an advocate for this bill from a solicitude to establish parliamentary reform, as well as from a desire to satisfy the public mind. In speaking of reform, he did by no means imply those wild theories which were advocated by the would-be-patriots, who had so much disturbed the country in the course of the last year, and who were in truth the worst enemies of real liberty. He wished also to be understood, that when he urged the propriety of satisfying the public mind, he meant the intelligent, well regulated opinion of the country, which had unanimously decided in favour of reform, and against which all the eloquence of the

Treasury-bench was excited in vain. It was impossible that that eloquence, even combined with all the power of those by whom it was wielded, could long withstand the universal desire for reform.

Mr. Serjeant *Onslow* deprecated the idea of confining this measure merely to the extension of the right of voting to the hundreds adjoining Grampound, as such a proceeding must, among other exceptionable results, serve to give an undue right of voting to the freeholders of a particular district, and that too in a county which had the power of returning an amply sufficient number of members to that House. But upon what ground could the total disfranchisement be resisted? For, as to the precedents, where was the precedent to show such flagrant corruption as had existed in this borough, where no candidate dared even propose that the bribery oath should be administered? It was urged in objection to the proposal for transferring the right of election to Leeds, that there was no precedent for the creation of the right of voting by an act of parliament. But this allegation was an egregious mistake, as there were many such precedents. In Chester, in Durham, and in the Welsh counties for instance, the right of voting was created by different acts of parliament. With respect to the question, whether there should be four representatives for Yorkshire, or whether the right of electing two members should be conferred upon Leeds, he hoped the friends of this measure would not allow their strength to be weakened by any dissention upon such a question, but that all would unite in securing that which was most desirable, namely, the total and radical disfranchisement of Grampound.

The motion for going into the committee was about to be put, when the Speaker asked whether any hon. member meant to move an instruction to the committee? Upon which,

Mr. *Davies Gilbert* said, that the case of Grampound was one which admitted of no justification, and it was impossible to deny that a system of corruption had for a long period of time existed in that borough, which called for the animadversion of the House. In considering, however, the remedy which it would be most expedient to apply to an evil which was admitted on all hands to exist, he confessed himself unable to accede either to the proposition of the noble lord who brought forward this motion, or to the other proposition which had been suggested as a substitute for that of the noble lord. He wished rather to follow the course of former precedents, in cases where a disfranchisement of the borough had ensued upon a proof of similar corruption, instead of giving his support to a measure which was not warranted by the practice of parliament, and which must inevitably form a precedent for the future. He did not wish to prevent this case from establishing a precedent to the extent of subjecting any borough which might hereafter become equally corrupt, to the punishment which it had been the usage of parliament to inflict; but, beyond this limit he was not prepared to go. Another ground upon which he opposed the proposition of the noble lord was, that it had a direct tendency in favour of a measure, which the advocates of that measure had assumed to themselves the privilege of calling by the name of parliamentary reform. To general propositions for reform it was scarcely possible to offer any opposition: if, for instance, it were proposed to reform the courts of law, or the judges, it would be difficult to object to a proposition of that general nature. But if he were asked to consent to any particular plan of reform—to a mode, for instance, of electing the judges by universal suffrage, he should then be able to state distinctly, the grounds of his opposition. He objected to parliamentary reform, because its tendency was, to make that House a more democratic assembly than it was; and as an hon. gentleman had on a former occasion alluded to the lamp of Aladdin, which, though covered with rust, still retained its charm, he thought the present constitution of the House, with all its imperfections, possessed all the charms of Aladdin's lamp. From the records of ancient history he was justified in drawing the conclusion, that a country governed by a democratic assembly would inevitably fall into a state of anarchy and confusion. With respect to the proposition for transferring the right of voting from the borough of Grampound to the town of Leeds, he thought that if this example were set, all the other large unrepresented towns would endeavour to find out flaws in other boroughs, for the mere purpose of transferring the elective franchise to themselves. Agreeing, as he did, that an effective reformation ought to be made in the borough of Grampound, he thought that object might be effected by following the precedents upon their Journals, without, as it was called, travelling out of the record. The hon. member concluded by moving, "That it be an instruction to the committee, that they have power to make provision in the bill, to extend the right of voting for burgesses to serve in parliament for the borough of Grampound to freeholders of the hundreds of Powder and Pyder, and for limiting the right of voting in the said borough."—Upon the question being put from the chair,

The *Chancellor of the Exchequer* rose to move, that the farther discussion of this question be adjourned till to-morrow, alleging the absence of his majesty's ministers at a cabinet council, upon a subject of high importance, as the ground of this motion.

Lord *J. Russell* said, he was willing to accede to any arrangement which might accommodate the right hon. gentleman, but he felt that upon the present occasion he was scarcely at liberty to do so, without the concurrence of his hon. friend the member for Durham, whose motion upon the state of the representation stood for to-morrow.

Mr. *Lambton* said, that the House was called upon by the motion of the right hon. gentleman to postpone the debate upon a subject of considerable importance, but the right hon. gentleman had stated no public ground for that adjournment. He was aware that the right hon. gentleman and his colleagues felt themselves in a situation of some difficulty, in consequence of her majesty having embarked at Calais for this country, and that a cabinet council had been this day called upon the subject. This, however, was no ground for delaying the public business; and, though he had every wish to accommodate his noble friend, yet as his own motion upon parliamentary reform stood for to-morrow, he could not consent to the adjournment of this debate, unless some strong grounds for that measure were laid before the House.

The *Chancellor of the Exchequer* said, that he had moved the adjournment of this debate, not from any considerations of personal convenience; but because their duty to their sovereign demanded the attendance of ministers in another place. It would be for the House to determine whether the debate should be adjourned till to-morrow, or to any other day.

After some further conversation the debate was adjourned till Monday.

INSOLVENT DEBTORS BILL.] Upon the motion of lord Althorp, the House resolved itself into a committee of the whole House upon this bill.

Mr. *Denman* objected to the appointment of three commissioners instead of one. He said, he was averse, in general to the investing any man or body of men with arbitrary power, but such a measure as this could never be efficient, unless the absolute power of carrying its provisions into effect were lodged in a single hand. Three judges in different places would follow different rules and precedents, and decide upon different principles. He thought there should be no appeal in these cases: if an appeal were permitted, there would be great risk of a perpetual disagreement among the three members, or it would become a mere mockery of justice, and nothing more than a mere formal decision of the same case before the same court. It was contended that if only one commissioner were appointed, it would be necessary to have examiners out of court; but he saw no such necessity, nor did the proceedings in insolvent cases involve any investigations which one judge was not fully competent to undertake. Unless creditors exerted themselves to bring the property of their debtors under the control of the court, no exertions on the part of the court would be sufficient for that purpose. Upon public grounds, too, the unnecessary multiplication of judicial and other offices, was a subject which ought to be watched with extreme jealousy, and he could not help thinking, that if the committee suffered this clause of the bill to pass, they would give an indirect sanction to a transaction, which was felt throughout the country to be a very gross job; he alluded to the recent appointment of a fifth baron of the exchequer in Scotland. He moved, therefore, that instead of the words, "three-commissioners," the words "one commissioner" be substituted.

Mr. *Abercromby* observed, that the country was much indebted to the noble lord who had brought this measure before the House. The most essential part of the bill was, that there should be associated with the chief commissioner two commissioners who should examine accounts in private; and this he contended, was most desirable. In conclusion, he paid a high compliment to the present commissioner, with whom he had the honour of being acquainted, and than whom no man could be more devoted to the discharge of his public duties.

Sir *F. Ommanney* argued in favour of the appointment of three commissioners.

Mr. *D. W. Harvey* objected to the expense of the measure, and contended that from the seventy bankrupt commissioners the offices of the commissioners contemplated by the bill might advantageously be filled up. He admitted that three commissioners were better than one. It would prevent any exercise of arbitrary power, by allowing an appeal from the decision of an individual commissioner to the judgment of the commissioners in court assembled. The great advantage, as he understood it, of the noble lord's proposition was, that there would be two examiners under the name of commissioners, who being employed in examining accounts in private, would leave to the chief commissioner the principal administration of the law.

Mr. *Abercromby* maintained, that the expense attendant on the measure would by no means be great, and that it would be most advantageously incurred. He agreed, that it was desirable to reduce the number of bankrupt commissioners, but he contended that the best way of doing so would be to adopt the present measure, which would so reduce the profits of the bankrupt commissioners, as speedily to diminish their number.

Mr. *Wrottesley* objected to the bill, on the ground that it would occasion two systems to be going on at the same time. The late bill was a grievous disappointment to the country; for it had turned out to be one of the most mischievous and demoralizing legislative measures that had ever been adopted. If, however, the bill were to be adopted, he was sure that three commissioners would be necessary to administer it, and he trusted that they would be able to remedy some of the evils of the late bill.

After some desultory conversation, Mr. Denman agreed to withdraw his amendment. The original proposition for filling up the blank with the word "three" was agreed to. The other clauses were filled up, and the House resumed.

HOUSE OF LORDS.

Tuesday, June 6.

The King came in state to the House about two o'clock, and gave the royal assent to the Civil List bill, the Insolvent Debtors' Continuance bill, and some other bills.

King's Message respecting the Arrival of the Queen.] The Earl of Liverpool presented a Message from the King, stating the arrival of the Queen, and announcing that his majesty had thought it right to communicate to the House certain Papers respecting the conduct of the Queen since her Majesty quitted this country, to which the king desired the earliest attention of the House. The message was read by the lord chancellor, and also by the clerk at the table.

The Earl of *Liverpool* then laid upon the table a green bag, sealed, and apparently filled with papers, and said:—My lords, I have now the honour of laying upon the table, by the king's command, the Papers referred to in his majesty's most gracious message. It it my intention to-morrow to move an address to his majesty, which, without pledging the House in any manner to any opinion, as to the contents of the message, will be merely an address, returning the thanks of the House to his majesty for his most gracious communication, and declaring our readiness to take into our serious consideration the Papers communicated by his majesty's command. It is also my intention to move to-morrow to refer the papers thus communicated to a secret committee. In this course of proceeding his majesty's government have been guided by precedent, as far as precedent (and that of a very old date) can avail, it being well-known that there is no precent bearing directly upon the present case. It will be for the secret committee to point out whether any and what proceeding is fit to be adopted in consequence of the information afforded by the papers laid before them. I have now only to move that the lords be summoned to attend the service of this House to-morrow. —Ordered.

HOUSE OF COMMONS.

Tuesday, June 6.

King's Message respecting the Arrival of the Queen.] Lord Castlereagh presented the following Message from his majesty:

"George *R.*

"The king thinks it necessaay, in consequence of the arrival of the queen, to communicate to the House of Commons certain papers respecting the conduct of her majesty since her departure from this kingdom, which he recommends to the immediate and serious attention of this House.

"The king has felt the most anxious desire to avert the necessity of disclosures and discussions which must be as painful to his people as they can be to himself; but the step now taken by the queen leaves him no alternative.

"The king has the fullest confidence that, in consequence of this communication, the House of Commons will adopt that course of proceeding, which the justice of the case, and the honour and dignity of his majesty's crown may require.

"GEORGE *R.*"

The Message having been read by the Speaker, lord Castlereagh laid on the table of the House the papers referred to in the said message, sealed up in a green bag, and moved, "That an humble Address be presented to his Majesty to return his Majesty the thanks of this House for his most gracious message, and to assure his Majesty that this House will proceed to take the same into their immediate consideration." The motion being agreed to, the noble lord next moved, "That his majesty's Message be taken into consideration to-morrow."

Mr. *Bennet* said:—Mr. Speaker, seeing no member near me disposed to put a question to the noble lord, and with a full persuasion of my own inablity, I still feel most anxious to know from him, whether a letter which has this day appeared in one of the public journals, and which purports to be the letter of lord Hutchinson* to the legal adviser of the queen of England, is. or is not a genuine document? Whether lord Hutchinson had instructions from the ministers of the Crown to call upon the queen of England to lay down her right and title—a right held by the same constitutional securities as that of the king himself— for a bribe of 50,000*l.* a year [Hear, hear!]? I do feel most anxious to have an answer to this question because, hardy as I know his majesty's ministers to be—so hardy, to use the words of my right hon. friend (Mr. Tierney), as even to betray the king and insult the queen. I still cannot believe that even they would venture to authorize such a proposition. I for one, will never credit the genuineness of that document, until I hear it admitted by the noble lord opposite. Until that admission shall be made, I can never give credit to the statement, that a British ministry, without the authority and consent of parliament, would have dared to call upon the queen of Great Britain to divest herself of that title which she holds by the same right as the king himself does his title, for a bribe of 50,000*l.* a year—a bribe too, not to be paid by the king himself, but to be taken out of the pockets of the people of England, labouring under the severest distresses, and to be given to a person, who, if the statements circulated against her were true, was not alone unworthy of being the queen of England, but of being allowed to place her foot upon its shore. There are no words strong enough to convey an adequate impression of such a proposition. To call it treason to the monarchy, might be considered extravagant, but I cannot consider it less than an act of treachery to the monarchy of Great Britain. Feeling a sincere respect and attachment to that monarchy, upon whose

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* After the interview between the queen, lord Hutchinson, and Mr. Brougham on Saturday night, the 3rd of June, at St. Omer's, during which nothing passed except conversation on indifferent topics, Mr. Brougham sent the following letter to lord Hutchinson:

"Mr. Brougham having humbly submitted to the queen, that he had reason to believe that lord Hutchinson had brought over a proposition from the king to her majesty, the queen has been pleased to command Mr. Brougham to request lord Hutchinson to communicate any such proposition as soon as possible, in writing. The bearer of this (Count Vassali) will wait to receive it from your lordship.—June 4th, 1820."

To this letter lord Hutchinson sent a short note which stated that his lordship had no written proposals, but merely some scattered memoranda on scraps of paper. Mr. Brougham instantly sent the following reply to lord Hutchinson's note:

"Mr. Brougham is commanded by the queen to express to lord Hutchinson her majesty's surprise at his lordship not being ready to state the terms of the proposition of which he is the bearer: but as lord Hutchinson is desirous of a few hours delay, her majesty will wait until five o'clock, in the expectation of receiving a commucredit and character I believe the peace and security of the country essentially to depend, I could not as an honest man postpone the desire I feel of hearing the ministers of the Crown admit or deny the fact of the genuineness of the document now before the public—whether or not they transmitted a person to make such an offer—whether they, the ministers of the Crown, are parties to the proposition of calling upon the queen of England, without the consent, authority, or knowledge of parliament, to lay down her title for a bribe of 50,000*l.* a year [continued cheers].

Lord *Castlereagh* observed, that he could not help admiring the peculiar temper under which the hon. member had risen to put his question. It must be felt by the hon. member as a most auspicious state of mind, under which to discuss one of the most grave and important questions, perhaps, ever submitted to the sober and deliberate consideration of parliament; a consideration in which were involved no less than the dignity and honour of the Crown, and the peace and tranquillity of the country [Hear, hear!]. With such an impression of that most grave and important deliberation, the hon. member must allow him to say, that even out of tenderness to him he should decline answering the question. He had already communicated to the House the course

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nication from his lordship at that hour.—2 o'clock, June 4th, 1820."

This letter was dated two o'clock on Sunday, and within a few minutes of the stipulated time, Mr. Brougham received the following letter from lord Hutchinson:

"Sir;—In obedience to the commands of the queen I have to inform you, that I am not in possession of any proposition or propositions detailed in a specific form of words which I could lay before her majesty; but I can detail to you for her information the substance of many conversations held with lord Liverpool. His majesty's ministers propose that 50,000*l.* per annum should be settled on the queen for life, subject to such conditions as the king may impose. I have also reason to know that the conditions likely to be imposed by his majesty, are, that the queen is not to assume the style and title of queen of England, or any title attached to the royal family of England. A condition is also to be attached to this grant, that she is not to reside in any part of the United Kingdom, or even to visit England. The consequence of such a visit will be an immediate message to parliament, and an entire end to all compromise and negotiation. I believe that there is no other condition. I am sure none of any importance. I think it right to send to you an extract of a letter from lord Liverpool to me: his words are—'It is material that her majesty should know confidentially, that if she shall be so ill advised as to come over to this country, there must then be an end to all negotiation and compromise. The decision, I may say, is taken to proceed against her as soon as she sets her foot on the British shore.' I cannot conclude this letter without my humble though serious and sincere supplication, that her majesty will take these propositions into her most calm consideration, and not act with any hurry or precipitation on so important a subject. I hope that my advice will not be misinterpreted. I can have no possible interest which would induce me to give fallacious counsel to the queen. But let the event be what it may, I shall console myself with the reflection that I have performed a painful duty imposed upon me to the best of my judgment and conscience, and in a case, in the decision of which the king, the queen, the government, and the people of England, are materially interested. Having done so, I fear neither obloquy nor misrepresentation. I certainly should not have wished to have brought matters to so precipitate a conclusion, but it is her majesty's decision, and not mine. I am conscious that I have performed my duty towards her with every possible degree of feeling and delicacy. I have been obliged to make use of your brother's hand, as I write with pain and difficulty, and the queen has refused to give any, even the shortest delay—I have the honour to be sir, with great regard, your most obedient humble servant,

HUTCHINSON."

As soon as this letter was read by the queen, Mr. Brougham, at her majesty's request, made the following answer in writing:

"Mr. Brougham is commanded by the queen to acknowledge the receipt of lord Hutchinson's letter, and to inform his lordship, that it is quite impossible for her majesty to listen to such a proposition.—Five o'clock, June 4th, 1820."

that was intended to be pursued, and he put it to the hon. member and the House to say, whether there ever had been a consideration affecting so peculiarly the feelings and interests, submitted to the attention of parliament, in language less calculated to provoke any warm or intemperate discussion. In the most ordinary act even in the discussion of a turnpike bill, a previous notice was required, and surely on a question of the present character a notice of such an intention might have been expected. As the hon. member, he well knew, was at times able to combine very contradictory qualities, he would himself feel the impropriety of giving way to any precipitancy. If such was his wish it was open to him to give a notice for to-morrow when the discusion of the motion, already noticed, would afford ample opportunity.

Mr. *Beaumont* did not consider the question put by his hon. friend at all calculated to throw any impediment in the progress of the course proposed by the noble lord. It appeared to him to be a very fair and reasonable question. From the want of an answer to it, and the evident disinclination of the noble lord to give it, it was evident that this extraordinary letter was genuine, but that his majesty's ministers were ashamed to own it [Hear, hear!].

Mr. *Creevey* said, that it was not only competent for any member to ask such questions as the hon. member for Shrewsbury had asked without giving notice of them, but also to make a motion to the same effect. So convinced was he of the propriety of the question put with so much feeling by his hon. friend, that had it not been put, it was his intention to have moved for the production of the papers connected with the late negotiation at St. Omer's, and he actually held in his hand a notice of a motion which he had drawn up with a view to obtain it. He implored the House to consider the situation in which they were placed. They had a message from the king, desiring them to interfere in his behalf. And why? Because her majesty the queen had set her foot in England [Hear!]—for that now appeared to be the chief ground of her offence [Hear!]. Indeed his majesty appeared to have the same objection to her being in the same country with him, which he formerly had to her being in the same drawing-room. In order, therefore, to promote his majesty's wishes, they first offered her a threat, and then a bribe to keep her abroad, but both, he was happy to say, ineffectually. The House ought to recollect, that when the king sent them a message, desiring them to interfere in his behalf, it was their bounden duty to consider, before they went into the evidence (into which he maintained that they had no right to go, as nobody could doubt of the present being a private prosecution), not only the situation in which they might themselves be placed, but also the situation in which the king absolutely was placed. In the first instance, he was the accuser, the procurer of the evidence, and the prosecutor of the crime of which, in the last, he might be called upon to become the judge [Hear!]; for if a bill of attainder should be passed against her majesty, it could not be passed without the king's giving his consent to it as a part of the legislature. The House ought to beware how it made itself a party to such a transaction, especially as, from the reign of Henry 8th downwards, it had not been the custom of parliament to interfere with the queens of England [Loud cheers]. The arrival of her majesty appeared to have created indescribable alarm amongst gentlemen on the other side of the House; for, strange as it might appear, fifteen ministers failed last night to attend in their places, being too busily employed in arming themselves against one poor, weak, defenceless woman. And who was that woman? The daughter of the duke of Brunswick, the niece of the late king, the wife of the present king, the mother of the princess Charlotte [Hear, hear!]. If that lamented princess had been alive, would this business have ever been brought before the House? He thought not. He had written in pencil the motion of which he had intended to give notice, relative to the late negotiation at St. Omer's; whether he should move to-morrow evening that an account of it be laid before the House, he would not say; but, feeling as he did upon the subject, he should have felt himself a disgraced man, if he had not made the remarks which he had just offered to their notice upon it [Hear!].

Sir *Robert Wilson* assured the House that no motion had ever occasioned him more acute regret than that which had just been submitted to the consideration of the House. He trusted, however, that in the appeal which he was going to make to their generosity, he should meet with the support of a majority of the House. He called upon them to protect her majesty during the continuance of this inquiry from every species of indignity. He did not now allude to the indignities which she had received from our ministers at foreign courts, or from those foreign courts themselves, at the instigation of those ministers, nor to the paltry indignity of striking her name out of the Liturgy of the Church; but he alluded to the treatment which she had received in her journey to this country, and to the obstacles which had been raised up to retard it. It was a disgraceful fact, that the queen of England, in crossing from the Continent, should have had no other vessel on which to erect the royal standard than a common passage-boat. It was a disgraceful fact that she should have no place to which she could fly as to an asylum, that she should have no other roof to shelter her head, than that of an individual, who was an honest man [Loud laughter]. Gentlemen might laugh at the term, but he maintained that the individual to whom he alluded was an honest man, and had performed his duty to her majesty in the same exemplary manner as he had performed all the other duties of his station [Hear, hear!]. That individual had given her majesty an asylum which she had not been able to procure in any of the palaces of the Crown. He was sure that his majesty would never wish to see any of his subjects treated with indignities which they did not deserve, much less one who had once been the wife of his affection, and still was the partner of his throne.

Lord *Archibald Hamilton* expressed his regret that a case of such importance should have been thrust upon the House—a case which required the most serious deliberation before any act should be done—before any resolution should be adopted. The queen had arrived in the metropolis of Great Britain; and how was she received? Not with the gratulations of the ministers of her husband; no, they had long prosecuted her with ignominy and with insult; they had caused her name to be erased from the Liturgy of the country, and they now brought forward what was tantamount to a charge, if not virtually an accusation against her. He had, therefore, taken the earliest opportunity of expressing his unbiassed sentiments on the subject, unconnected with, and uninfluenced by any person whatever. As far as the erasure of her majesty's name from the Liturgy was the act of his majesty's ministers, it appeared to him illegal; for he knew not by what special pleading, or by what legal quibbling, the act of parliament, which gave them power to alter in council the Liturgy, in case of the death of any of the royal family, could be construed to permit them to omit or erase the name of the queen altogether. But was the indignity then offered the sole effect that followed from such conduct? No. Ministers contributed by such a line of conduct to cause their queen to be considered as guilty by several of their fellow subjects. He would put it to the feelings of the House, whether the principles of common justice ought not to have prevented such conduct? In every case, even of the lowest and most ignorant individual, a man was not considered as guilty, until his guilt was established in due course of law. He would therefore ask his majesty's ministers, whether, that line of conduct had not produced in several parts of the country, the effect of considering the queen as guilty? and would further ask them if they could consider the message which had been delivered to the House, was a fair one, under such circumstances? He was not authorized by any person to ask it; but as an act of justice to the queen of England he thought the message ought to be seriously considered, before the House should, by adopting any step against the queen, contribute to prejudice her character and honour. Was not this the act of ministers against her? Was it not competent for any individual to ask whether he was to be tried or not? But in the case of the queen no such question would be answered, as it appeared from the conduct of his majesty's ministers; although they by their acts had instilled prejudices against the queen in every corner of the kingdom, while it was out of her power to repel their charges, or openly to meet the accusations with proofs to establish her innocence. For himself he would say, that he should be sorry to impute any charge against the queen on evidence palpably formed to condemn her, when no means of confronting her accusers was permitted; and he called upon the House not to permit such an attempt to be carried into effect. Ministers had long condemned the queen as guilty; they had acted upon that principle; they had fully declared their sentiments in relation to her majesty, by their actions, and would the House of Commons on their charge, and upon their statement, proceed also to condemn? He hoped not, and he therefore trusted that the House would act with deliberation and with caution. The spirit of the constitution of England was such as to consider every person accused as not guilty until proved to be so; and would the House of Commons at the instance of his majesty's ministers proceed to condemn the queen unheard, without allowing her the privilege which was allowed to the lowest subject of the kingdom? He was desirous of knowing whether the order in council by which her majesty's name was excluded from the Liturgy, was considered as equally binding on all the people of the kingdom; for that order had been transmitted to the general assembly in Scotland, where it had been looked upon as so much waste paper; for that order could not by law have any effect upon the regulations of the Established Church of Scotland. He knew several most respectable clergymen there who had refused to decline using the prayer for the queen as established by the Liturgy of their church, and who still continued to pray for her majesty by name. Unconnected as he was with any persons, he would request that the House would not proceed to acts of pure condemnation, suddenly and without consideration; and he would call upon his majesty's ministers to allow to the queen the same privilege at least which was allowed to the lowest and most ignorant subject—that of not being condemned unheard. He would protest against such a course of conduct as that about to be adopted respecting the queen, as not sanctioned by the usages of the country, not supported by the practice of the House, and not suited to the constitution of the kingdom. The queen, if she was to be accused, ought to be placed in the situation in which she would have stood prior to any accusation. Such were his opinions, and he thought, that in justice to her majesty and to himself that he was bound to state them, although he had no intention of opposing the motion which was then before the House. But he hoped that the House would go forward with deliberation to the performance of the serious duty imposed on it, and not by hastily agreeing with the views of his majesty's ministers, proceed to a sudden condemnation rather than to a fair trial.

Mr. *Denman* said, that it was not his intention at the present moment to enter into any discussion of this most important subject; for, both in a personal and constitutional view of the question, a fitter opportunity would probably hereafter occur. He confessed that he entertained some apprehension lest he should be betrayed into too strong an expression of those ardent feelings which the subject was calculated to excite, but which, however, gave him infinitely less alarm than the cold, calm, temperate manner in which a proposition of this nature had been brought forward by his majesty's ministers [Hear, hear!]—a proposition full of such weighty consequences to the illustrious individual and to the country. He could not trust himself to press this subject at the present moment; but in common justice to the illustrious individual, whose arrival in the country was greeted with an accusation founded upon paper and not upon witnesses, and which was to be referred, not to the ordinary tribunals of the country, but to a secret committee [Hear, hear!]—standing in the peculiar situation in which he did, he felt himself entitled to call upon the noble lord opposite to state distinctly, when he came down tomorrow to the re-consideration of this awful subject, what was the nature of the proceedings which it was intended to institute against her majesty?

Mr. *Brougham* said, that at the present moment he would not enter into the merits of the subject, even to the length at which his hon. and learned friend had entered upon them. Unhappily (and he said this unfeignedly)—unhappily, not merely for the illustrious parties concerned, but for this House, for parliament, and for the country, a resolution appeared to have been taken which rendered any longer silence upon the subject almost impossible. The time had at length arrived when all men would be called upon to make up their minds upon this most important question, and when his lips would be unsealed from that silence which he had hitherto observed. At the present moment he should only say, and he thought it but fair to give the noble lord the warning, that his majesty's government would not only have to perform the task, and to succeed in the task, of making out a strong case against the queen; but they would have another task to execute, foremost in situation and paramount in importance, as regarded their own justification — they would have to show, satisfactorily to show, to convince the House, and the country, that it had become impossible longer to postpone or to suppress the discussion. Which way soever might be the merits of the case was, in his view, a matter of minor importance, because, whatever might be the queen's case, the case of ministers must be, that the landing of the queen in England, that simple act, made all further forbearance absolutely impossible. This was so manifestly clear, that he would not waste the time of the House in urging another word in support of it; and he took it for granted that the noble lord and his colleagues were prepared to stake ther places upon the event of the present proceeding. In his own justification, the hon. and learned member continued, he now thought it proper to acquaint the House, that, since he had taken his seat in the House, a public newspaper had been put into his hand, in which, to his infinite surprise, he had seen a long statement, in many respects an inaccurate, and, in some most material points, a garbled statement of the recent transactions which had taken place at St. Omer's. It was necessary, in justice to his noble friend (lord Hutchinson) with whom he had acted upon that occasion, and who was still absent, that he should first declare the statement which had appeared to be imperfect and garbled; and, in his own defence, he felt it necessary to say, although, he believed that no member could suspect him of such violation of propriety, that he knew nothing of the mode or manner in which, or of the channels through which, those circumstances had been made public. To what breach of confidence this publicity which had been given to part of the proceedings could be attributed, he was at a loss to conjecture: until he had come into the House he had not been aware that a tittle of the matter had been promulgated.

The motion was agreed to, and on the motion of lord Castlereagh, the Papers were ordered to be kept in the custody of the clerk of the House.

Parliamentary Reform.] Mr. *Lambton* said, that when he had last night stated his determination to oppose the motion of adjournment, unless some public ground were laid before the House, he had no conception that a measure of such great importance was about to be submitted by his majesty's ministers to their consideration. After what had passed this night, he thought he should be doing the greatest injustice to the question which had been committed to his hands, if he attempted to bring it forward at a time when men's minds were agitated to such a degree, as to render it impossible that the subject of parliamentary reform should receive that patient and attentive consideration which it required. He begged leave, therefore, to postpone his motion to the 27th of June.

Army and Ordnance Estimates.] The resolutions of the Committee of Supply being reported,

Mr. *Calcraft* said, it had been his intention to make some observations on the present amount of our military establishment, which, if necessary at all, was, in his opinion, rendered necessary by the measures of government. This, however, would lead to a discussion of greater length than was desirable on the present occasion, and he should therefore defer the consideration of that topic to a future day. If no other opportunity were afforded, he should be driven to the necessity of submitting a substantive motion on the subject. New barracks were about to be built in all parts of the kingdom where none existed at present, and such an appearance of military government was about to be exhibited as had never before been presented in any country calling itself free.

On the reading of the resolution relative to pensions,

Mr. *Hume* said, that since this subject had been discussed, on the moving of the ordnance estimates, he had referred to the act, and he regretted to say, that in section second there was a clause that might admit of the construction for which the right hon. gentleman had contended. He now begged to ask whether those pensions to which he had adverted in the committee of supply, and by which a retired allowance, amounting to one-half of their former salaries, had been granted to several persons, after a service of two, three, and four years, came under that clause of the act to which he had alluded? The object of the act was, in his opinion, to prevent pensions from being granted to individuals for less than ten years service, and he protested against any deviation from that principle, as tending to impose a great expense on the country.

Mr. *R. Ward* observed, that he had

formerly stated the grounds on which those pensions to which the hon. gentleman objected had been granted. He had stated, that these individuals were not in the situation of persons retiring from the the service; but that their salaries had been taken from them in consequence of the reduction of their offices; and he would put it to the justice of the House, whether, when an office was abolished, they would deny the poor pittance of 45*l.* per annum to a clerk who had been deprived of his situation? He contended, that the act did not apply to persons whose services were dispensed with in consequence of the reduction of their offices, but to those who voluntarily retired, and claimed allowances for their past services. In this construction of the spirit of the act he was supported by the opinion of Mr. Harrison, a counsel of considerable eminence.

Colonel *Davies* said, his impression was, that the act applied to all cases, both of superannuation and reduction.

On the resolution for the Irish ordnance being put,

Mr. *Calcraft* regretted that in the first year of the administration of the noble duke, so little attention had been paid to economy in the department over which he presided.

Mr. *Ward* contended, that although there was an excess of 133,000*l.* in the expenditure of the ordnance department, 55,000*l.* of that sum arose out of the absolute necessities of the service. The noble duke, therefore, was not in any degree responsible for that part of the increased expenditure.

Mr. *Calcraft* disclaimed any personal motive in the comments which he had felt it his duty to make.

Sir *J. Newport* deprecated the idea of attributing any member's conduct to the influence of personal motives, or of supposing that to discuss the proceedings of a public officer, implied the existence of any personal zeal against that officer. It was absurd to maintain that the former services of the duke of Wellington, or of any other public man, should shield him from the responsibility which attached to any public office which he thought proper to accept.

Mr. *Hume* expressed a wish, that with a view to simplify the public accounts, which were in general scarcely intelligible at present, and to enable the House the more easily to judge where any expenditure could be saved, the practice of the American Congress should be adopted. According to that practice three committees were appointed at the commencement of every session, to examine the naval, the military, and the ordnance accounts, and to report thereupon; and if similar committees were appointed by that House, much good might be expected to result, as every item of expense would be more narrowly investigated. If such committee was in activity, it was impossible that several unnecessary places, which might be found to exist, notwithstanding the repeated ministerial professions of economy, would be allowed to continue. For instance was it to be tolerated that there should be in each of our colonies, a storekeeper for the navy, with one for the army, and another for the ordnance, although it was notorious that one storekeeper would be quite sufficient to do the business of the three. He therefore hoped that ministers would see the necessity of making some new arrangement on that head.

Sir *J. Newport* protested against the idea of delegating the functions of that House to any committee, or of allowing ministers to transfer to such committees their responsibility for the public accounts.

The resolutions were agreed to.

WILFUL AND MALICIOUS INJURIES BILL.] Mr. *N. Calvert* moved for leave to bring in a bill for providing summary punishment for certain vexatious and malicious injuries. It was unfortunately a subject of just complaint that very great and wanton injuries were committed on young trees, plantations, gardens, &c., for which the present remedy at law was extremely dilatory and unequal. In moving to bring in such a bill, he was not at all entering upon an unusual way of proceeding; for there already existed statutes for the protection of timber-trees, banks, and dams of rivers, &c. Abroad, it was to be observed, that gardens, statues, and other articles of private property, as well as trees loaded with fruit, and standing immediately by the road-side, were not subject to such malicious and vexatious injuries as those which the proposed bill would go to punish. But it was a mortifying reflection that there was no species of property in England which was exposed in public, that was not speedily injured or mutilated, from the common mile-stone upon the high-road to the tomb in Westminster-abbey. It never would be found worth while to prosecute a poor man, if guilty of such offences, by so expensive a process as an action for trespass; and the provisions of this bill would effect all the objects of a a prosecution in a less expensive and unexceptionable manner.

Leave was given, and the bill was brought in and read a first time.

IRISH PAUPERS.] Mr. *W. Parnell*, after an impressive appeal to the House upon the various hardships which Irish paupers were condemned to endure in their passage through this country, especially in returning to Ireland, observed, that scarcely a fourth of those who annually returned to Ireland were able to survive their sufferings. The hardships they underwent, which were but too often aggravated by the infliction of corporal punishment, were owing in a great measure to the manner in which their subsistence was provided for, that subsistence being paid for by the county, while the allowance to English paupers in their conveyance through the country was paid by the respective parishes. But the punishments inflicted upon the Irish paupers formed their greatest grievance, the lower order of English parish-officers, who charged those paupers as vagrants, being but too apt to consider Irishism as a crime. The hon. gentleman concluded with moving for the production of a copy of the correspondence between the seneschal of Belfast, and the chief secretary for Ireland, respecting paupers sent from England to Ireland.

Mr. *Sturges Bourne* observed, that by the act of the last session, which he had the honour to propose, it was expressly provided that Irish vagrants should be passed to Ireland without any punishment at all. They therefore had at present an exemption which was not granted to English vagrants. For any grievance to which the Irish paupers were still subject, he should be happy to assist the hon. member in framing a remedy. But the fact was this, that there was no officer in Ireland to receive those paupers upon their arrival in that country, or to whom an order for removal to their native place could be directed; and the want of such an officer was, he believed, the great cause of the hardship to which those poor beings were at present subject on their arrival in their own country.

Sir *J. Newport* said, that he should vote for the motion, although he must must confess his inability to see any permanent remedy for the grievances alluded to, but that remedy which would be worse than the disease, namely, the introduction of the system of the poor laws into Ireland, than which nothing was more to be deprecated, especially in a country where the paupers were so numerous, while those able to pay poor's-rate were comparatively so few. But still he felt that some temporary remedy should be devised for the relief, as far as it was practicable, of the poor beings alluded to. But then how was that remedy to be found? It would be unfair to saddle exclusively upon those districts of the Irish coast which were immediately opposite to England, the maintenance or the expence of transferring all paupers who should go over from this country; and from what fund was this expence to be defrayed?—He felt with his hon friend the necessity of providing some remedy in this case, but still he conceived it a question of infinite difficulty to adjust.

Mr. *Williams* thought this a case which loudly called for inquiry.

Mr. *W. Parnell* observed, that it was not because there were many political economists or few paupers in Ireland, that there were no poor laws in that country, but the fact was, that while the poor were objects of regard and consideration in this country, they were, he was sorry to say, mere objects of contempt in Ireland.

The motion was agreed to.

HOUSE OF LORDS.

Wednesday, June 7.

MOTION FOR A SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] The Earl of Liverpool moved the order of the day for the consideration of his Majesty's Message, which was read by the clerk. His lordship then, in pursuance of his first notice, proceeded to move an address to his majesty in return for his message.

Lord *Holland* wished to know with what measure his majesty's government meant to propose the examination of the papers laid on the table should be followed up, before the House was pledged to any opinion on the subject.

The Earl of *Liverpool* observed, that the address he intended to move would, as he had stated yesterday, pledge their lordships to nothing but to return thanks to his majesty for his most gracious message, and to assure his majesty that they would adopt such a course of proceeding as the justice of the case and the honour and dignity of the Crown might require.

The address was then put and agreed to.

The Earl of *Liverpool* now rose to make the second motion of which he had given notice, and which related to the course of proceeding. He said, he meant to propose to their lordships that a secret committee consisting of fifteen lords, should be appointed by ballot to examine the papers relative to the conduct of the queen, which he had laid on the table yesterday, and to report thereon. This he considered the most suitable course of proceeding, with reference to the delicacy of the case, the illustrious person to whom the papers related, or indeed to any person whatever who might be the object of such an inquiry. He was on the present occasion particularly desirous of saying as little as possible, and wished to reserve himself until he saw whether any of their lordships thought the course he proposed liable to objection. In that case, he would be ready to give any explanation which might appear necessary. He had yesterday stated, that the purpose for which he would propose to appoint the committee would be, to inquire whether any or what, further proceedings should take place on the papers submitted to their examination. This would be the object of their report. He had thought it necessary to state this yesterday, to guard against misunderstanding, and he thought it necessary to repeat it now. He trusted there was not a man in the House, or in the country, who would suppose him capable of proposing a mode of proceeding against any person, and least of all against the illustrious person who was the object of this measure, without allowing the fullest opportunity for defence. But the course now suggested, he was convinced, was the most proper in point of delicacy towards the illustrious person, and the best with respect to all the important interests connected with the case. Here he wished to leave the subject, being prepared, however, to give such explanation as might, in consequence of observations from any of their lordships, appear necessary. He concluded by moving the appointment of the committee.

The Marquis of *Lansdowne* said, he had heard the message from the throne yesterday with more pain than it was possible for him to express, because he felt, and should always feel, that any inquiry instituted in this or in the other House of Parliament, into the conduct of any of the members of the royal family, was a proceeding not only most revolting to the feelings of the illustrious persons themselves, but inconsistent with the duties of parliament. Nothing could have induced him to open his mouth on this subject but the situation in which the House was placed. As the subject had been forced on the attention of the House, it was impossible for him to avoid saying something on the course of proceeding proposed by the noble earl. In a case of so much importance, and attended with so many extraordinary circumstances, he should have expected the noble lord to have taken occasion to acquaint the House with the grounds on which he brought forward his proposition, and to have given some explanation of the reasons on which he recommended the course of proceeding he had suggested. In a state of entire ignorance of the transactions to which the papers proposed to be examined referred —and he wished to God that that ignorance might be allowed to continue!—it would be important to their lordships to be informed what was the opinion of his majesty's ministers on the subject—what was the view of the case entertained by those persons who must have had their attention particularly directed to it in the course of their official duties. But, deprived of this information, he felt himself bound to state to the House those objections which occurred to his mind against the course proposed to be adopted by the noble earl. That course, if he understood it rightly, was the appointment by ballot of a secret committee to examine the papers referred to in the communication from the throne. Now, under what circumstances was this communication made? With a perfect knowledge on the part of their lordships, that a message of similar purport had been delivered to the other House of Parliament, and that it contains a distinct statement, advised by the servants of the Crown, that the conduct of her majesty has been such as to call for the attention of parliament.—Now, under these circumstances, he earnestly desired their lordships to consider the character in which they stood as a court of judicature [Hear, hear!], and the only court before which any ulterior proceeding founded on the report of its committee could come. He knew nothing of any degree of guilt or impropriety which might be imputed to the conduct of the queen; but when their lordships considered the weight and importance of the communication which had been made to them, and the nature and extent of the course of proceeding now proposed, they could not exclude from their minds the possibility of that communication leading to an impeachment by the other House of Parliament. No person who was unacquainted with the contents of the papers to be submitted to the committee, could form any opinion on the consequences of the inquiry, or could say that its result would not lead to such an event as that which he had supposed possible. And if such should be its result, let him beseech their lordships to consider well the situation in which they would be placed. He need not remind their lordships of the anxiety shown in ordinary courts of justice to take care that unprejudiced persons should be called to perform the office of jurors. When such pains were taken to prevent the minds of those who were to decide in any ordinary case from being biassed, would their lordships, with the probability of their becoming judges staring them in the face, adopt a course of proceeding which, in the opinion of all mankind, must disqualify them for that office? He hoped they would pause before they agreed to the noble earl's proposition. He wished them, before they proceeded farther, to consider whether the course which it was recommended to them to adopt might not lead to something inconsistent with those functions which belonged to them as a court of judicature. But was the course proposed by the noble earl attended with any advantage capable of inducing their lordships to encounter this risk? Certainly, if the reference of the papers to a secret committee would really have the effect of secrecy with respect to the public—if that reference might be the means of preventing the public of England from becoming parties to transactions which it must be the wish of their lordships and every honest man rather to conceal in oblivion—he would approve the course proposed by the noble lord. But did any man actually believe that the reference to a secret committee would have such an effect? Was the illustrious person who was made the subject of inquiry to receive no notice of the evidence laid before the committee, and to have no opportunity of rebutting it? When the committee should make their report merely on the papers before them, in what situation would the House stand? The report of a committee so limited might prove only one step gained towards a further investigation. The noble earl did not propose that evidence should be heard by the committee on the part of the illustrious personage; it followed, therefore that, on a report founded merely on ex-parte evidence, some further proceeding, leading to most important consequences, might be proposed for their lordships' adoption. Why, then, were not their lordships in the first instance informed of the view which his majesty's government had taken of the case? Were there not in that House noble lords who had been the advisers of the Crown in this affair? What additional information to that which these noble lords possessed was it possible to convey through the medium of the committee? His majesty's ministers had had every opportunity of forming an opinion, and must know all the circumstances of the case infinitely more correctly than they could be known by the committee. This surely must be the opinion of any man who recollected all that had been stated respecting the circumstances of this case, and who was aware that it had been for more than a year under the consideration of the king's government. The noble lords opposite had had the fullest opportunities of satisfying themselves on every point of the evidence. They knew what credit and what weight ought to be given to every part of the evidence. It was most extraordinary then, that they should now come forward, and avow that they could not tell in what course they ought to proceed without the assistance of a committee. They ought to be far more capable of saying what was fit to be done than any other noble lords, who could know nothing of the matter except what those noble lords were pleased to lay before them in papers, to be reported on after perhaps an examination of eight and forty hours, or indeed of any other time. It was therefore for the noble lords opposite to say themselves what course ought to be pursued, without the intervention of any committee. There were, undoubtedly, occasions in which it had been the practice to appoint secret committees. All secrecy was in its nature an evil, but occasions might occur in which it was necessary. In no instance, however, did the usual practice in the appointment of secret committees apply to the present case. Secret committees had been appointed in cases of plots and conspiracies, the proof of which depended on the evidence of persons whose names could not be revealed—in cases when the investigation related to individuals whom it was important to keep unapprized of the existence of any proceedings against them—or in cases in which the interests of foreign states were concerned. But were any of these instances applicable on the present occasion? Was it necessary to conceal the names, characters, and situations of the witnesses in a case on which their lordships might be ultimately called upon to give judgment? Whatever propriety there might be in concealment, it could not be admitted in cases the result of which might be penal. If, indeed, any preliminary secrecy were necessary, that might be as well attained by enforcing the order for the exclusion of strangers as by the appointment of a committee. After the report of the committee, the House would not be placed in a better situation to judge than they would be on the statement of the noble lord opposite; for the committee, it appeared, were to have no opportunity of hearing any other evidence than that which his majesty's ministers chose to lay before them, and could not call for the defence of the party accused. He thought, therefore, that their lordships had as yet heard no ground stated for the appointment of a committee, more especially when the delicate situation in which the House stood was considered. Liable to become a court of judicature, it was of the utmost importance that the high functions their lordships might be called upon to exercise should be assumed under no questionable circumstances. At a time when the feelings of the public were so deeply interested by the extraordinary nature of the case, it was of importance that they should not be farther excited by the inconsistent mode of proceeding proposed by the noble lord. On these grounds he objected to the appointment of the committee.

The Earl of *Liverpool* rose, in consequence of what had fallen from the noble marquis, to give such explanation as it was in his power to give on the present occasion. He trusted that the answer he should now make would be satisfactory to the noble marquis and to all their lordships, and that he should stand excused for not doing that which the noble marquis appeared to consider indispensable, namely, stating, under the circumstances of the case, what he thought ought to be the future course of proceeding. He contended that the appointment of a secret committee was the fittest course of proceeding; and if it was proper to refer papers containing evidence to that committee, it would be improper in him to anticipate what might be the result of the investigation. Having resolved to recommend that the course of proceeding should be to refer the subject to the consideration of a committee, that was a sufficient ground why his mouth should remain closed as to what he might expect would be the opinion of that committee. With regard to the inference of the noble marquis, that because a communication had been made to the House of Commons similar to that laid before their lordships, this was a case on which they might have to pronounce judgment, any objection taken under that view was perfectly groundless; for this was not a case on which their lordships could be called upon to decide in a judicial capacity. The case was certainly one of great difficulty and delicacy, and he more particularly felt all the difficulty and delicacy which belonged to it in the observations he was about to make, because, in what he had to say, for the sake of explanation, it would be necessary for him to assume guilt; but he wished their lordships distinctly to understand that he meant to speak hypothetically when he supposed certain facts to which he should allude to have taken place. With regard to the objection of the noble marquis, if there were ground for it, he would not only agree with him as to the impropriety of the present proceeding, but would go a great deal farther; for, were it supposed that evidence existed to convict the queen of high treason, he would not think it fit to refer the case in the first instance even to the House of Commons; but would consider it the duty of his majesty's confidential advisers to institute proceedings at once before the proper tribunal, and to put her on her trial according to the regular course of law. But, suppose the queen guilty of what by some might be supposed high treason—the commission of adultery abroad; and suppose that such proof existed on the subject as to leave no doubt of the fact—on that supposition the opinion of the highest legal authority had been taken, and he had to inform their lordships, on that authority, that, supposing such adultery to have been committed, it would not be high-treason according to the law of the country, nor any crime cognizant by our laws. He expected that their lordships would call upon him for explanation on this point.—He should therefore observe, that the statute of Edward 3rd, by which the act of adultery committed by any person with the queen, or another member of the royal family, is made high treason, did not apply to such a case as he had supposed. That act did not virtually constitute the commission of the crime of treason in her; but it was the practice of the law-courts to consider her guilty, likewise, because she was an accomplice, and in treason all the parties are considered principals. But if the queen or the princess of Wales were to commit adultery with a foreigner abroad, that foreigner, owing no allegiance to this country, would not be guilty of high treason, and indeed of no crime against the laws of this country.—In this supposition, the queen also would not be guilty; for she could not be an accomplice in a crime where no crime was in existence. Such was the state of the case; it might be an omission in the law; but still it was the law of the country, and could not be made high treason in any individual case. But were the Crown and the country, therefore, to sustain all the inconvenience of this omission, without any means of obtaining a remedy?—It might be asked, whether there were any other grounds on which an impeachment might be founded? He was not aware of any. A noble lord opposite (Erskine) had once given it as his opinion, that it should be made indictable; but in the courts at present, ecclesiastical excepted, it was considered merely as a civil injury. If an indictment, therefore, could be brought in the court of King's-bench, on what ground could the queen be proceeded against for high crimes and misdemeanors? There was no ground, therefore, for the noble marquis's objection, that this was not a case of which their lordships could take any judicial cognizance. It was one with which parliament only could deal legislatively.—Having removed the objection, he now came to the question of the expediency of the course of proceeding which he had recommended; and he contended that, upon a matter so new and of such peculiar delicacy, it was more proper to refer the subject to a secret committee than to submit at once a proposition without any previous step. In all cases of bills of pains and penalties since the Revolution, he believed secret committees had been appointed. On these grounds, he thought the course he had recommended was most decorous and respectful to the queen, and most suited to the case. The noble marquis had asked the intentions of ministers, for they themselves must know what they intended to recommend in the case. This might be said with respect to every other measure. In every case of conspiracy they might know a great deal more than was referred to a committee, and scarcely a case could occur in which they did not know more than those to whom the inquiry was referred. This, therefore, was no sound objection. What it was proposed to inquire was, whether any proceeding was proper, and, if any, of what nature and to what extent; and he would ask, was not this more decorous to the individual than for a minister to come down at once with a proposition?

Lord *Holland* observed, that a great part of the speech of the noble earl had gone to establish the principle, that if their lordships concurred in the appointment of the secret committee moved for, they would by that concurrence, convey the opinion that no judicial proceeding could be instituted before them on the application of the Commons House of Parliament. In this opinion he agreed; but his conviction of its justness constituted his objection to the course recommended. The noble earl opposite had given it as the opinion of many lawyers, that a queen could not be impeached of high treason for adultery committed with a foreigner; but could he assure their lordships that this would be the opinion of the other House of Parliament, the grand inquest of the nation, with whom an impeachment might originate? All that their lordships knew was, that his majesty had sent to the other House a message, accompanied with papers containing matter of accusation against her majesty. When, then, their lordships heard that the queen-consort was accused, and that evidence had been transmitted to the Commons in support of that accusation, how could they be assured that the great inquest of the country would not institute judicial proceedings? If, then, the Commons originated an impeachment. their lordships, by the appointment of this committee, would, in the opinion of the noble earl, disqualify themselves from acting as a tribunal of justice. The course of ministers therefore should have been to have advised the sending of a message, and the reference of evidence to the House of Commons, without transmitting either in the first instance to their lordships; and thus the difficulty which would occur, if the Commons instituted judicial proceedings, would have been avoided. With respect to judicial proceedings, he was sensible that, if they took place at all, they must take place in parliament, and in parliament only: but his objection to the appointment of a secret committee to make a report on ex-parte evidence was, that results highly injurious to the character of their lordships House with the public as a tribunal of justice, would arise from their acting on a report so drawn up. If it was proper to apply to parliament without the necessity of instituting a judicial inquiry—if an evil existed which called for a legislative remedy—if it was necessary to institute proceedings to obtain divorce, or to introduce a bill of pains and penalties — his majesty's ministers might have brought the business before the House without a message like the present, without the appointment of a secret committee, or without transmitting any message or evidence to the other House. If, on the other hand, judicial proceedings were contemplated as the result of the message and the papers, then the other House, which could alone originate or conduct an impeachment, ought only to have received the message, and to have originated the inquiry. By doing as they had done —by asking their lordships to prejudge by a committee a question that might come before them as a tribunal of justice, they placed their lordships House in the situation either of refusing to pronounce a decision on points referred to them by the Crown, or of expressing an opinion on the law and fact of a case on which the Commons might subsequently demand their judgment [Hear, hear!]. The noble earl had not referred to precedent, because precedents in point did not exist. What he (lord Holland) objected to was, the concurrent jurisdiction of the two Houses of Parliament, and there was no precedent of judicial proceedings following reports made by committees on separate messages to both Houses. He remembered a case in which a communication was made in a speech from the throne, and consequently in a speech delivered to both Houses of a plot existing against the government. The House of Commons received the evidence, and proceeded by bill. They appointed a committee of inquiry—that committee brought in a report, and a bill was founded upon it. When this bill was sent to their lordships House, the evidence was transmitted along with it, and their lordships appointed a committee of inquiry before they proceeded to decide on the attainder. If judicial proceedings should be the consequence of the message sent to the other House, his objection to the appointment of a secret committee of their lordships House was, not that their minds would be prejudiced by the report which it drew up, for he believed that on the trial they would act with perfect justice, and would not be guided by the opinion of the committee, except in so far as it would be supported by evidence, but that, by appointing such committee, they declare, without any knowledge of facts, that there could be no judicial proceedings. Nay, they made such a declaration of their conviction when they knew that the other House were deliberating on a course of proceedings out of which an impeachment might arise. They knew that papers conveying matter of accusation had been referred to the grand inquest of the nation, and that they were now consulting upon them. By appointing a committee, therefore, to inquire and to decide, before they knew what would be referred to them for their judgment in their judicial capacity, they placed themselves in a situation either of being a tainted tribunal, or of refusing justice altogether [Hear, hear!]. This was an objection to the motion now recommended which he could urge on constitutional grounds; but the influence of this objection was greatly strengthened in his mind by a recollection of the mode in which secret committees had lately been appointed, the manner in which they had conducted themselves, the measures they recommended, and the unfortunate associations connected with them. He would not examine the laws which had been enacted on the suggestion of such committees; but he could not forget that their acts had been of such a nature that a green bag and a secret committee were considered by the public as the prelude to the most monstrous displays of injustice, harshness, and tyranny [Cheers!]. It could not be denied that there existed great sensitiveness and irritability in the public mind on the question now before the House; and it would be unfortunate if these feelings should be increased by seeing a mode of proceeding adopted so odious and obnoxious as that by a secret committee. He therefore conjured their lordships, as they valued their own character and estimation with the country, not to adopt such a mode of proceeding. If there was one point to which the attention of parliament should be more peculiarly directed than to another, it was that their lordships should administer justice—he would not say with impartiality and freedom from every sinister influence, for he believed they were incapable of doing otherwise—but in a form and manner that would satisfy the most suspicious and discontented. If there were two modes of proceeding by which justice could be equally administered, the one open and tender, and the other harsh and suspicious, the former ought to be adopted. It was possible that a secret committee might be the most tender mode of proceeding, but it was an odious, and might be an unjust one, and therefore he would protest against it [Hear, hear!].

The *Lord Chancellor* said, that he never had had so painful a duty to discharge as the present. The difficulty arose partly from the connexion of the proceedings with an illustrious person, whose situation in the state commanded respect and reverence. But when he said this, he did not mean to insinuate that to the rank of the party belonged any greater title to justice than to the meanest subject. If a secret committee were to decide on the character or the interests of any individual, he would be the last man to agree to such an appointment. He would rather at once refer the papers to the House. But the appointment of a secret committee, while it could not be unjust in its decision, it not being allowed to decide, was designed to prevent injustice. The objection of his noble friend to the appointment of a committee did not appear to him well founded. There might be judicial proceedings at the instance of the Commons, after the committee had reported on the papers before the House, as the secret committee could, in that case, be regarded only in the light of a grand jury, deciding that matter of accusation existed. The committees, on examining the papers, would declare, either that there were grounds of accusation or not. If the former, the House would know how to deal with it; and if the latter, no injustice could be done. What, therefore, could accrue from the appointment of the committee? Good God! could their lordships be said to be deciding against individuals because they stood forward to protect them from the result of disclosures where there had not been found grounds of trial? He agreed in the interpretation put upon the statute of Edward 3rd by his noble friend, that if any subject violated the person of the queen, of the princess of Wales, or of the princess royal, he was guilty of high treason, and the female was guilty as an accessary; and as all accessaries in high treason were principals, she might be guilty of high treason as a principal. A stranger not being amenable to our laws, and owing no allegiance to our sovereign, could not commit high treason against him. The law only affecting the female as an accessary, and there being in this case no principal, the female, by committing adultery with a foreigner, could not be impeached of high treason. This was said in the law-books. But it was said, if an impeachment for high treason could not be supported, might there be a proceeding for a divorce in the ordinary course of law, or in the spiritual courts? The difficulties in both cases would strike those who were acquainted with legal subjects. In a case like the present, parliament must interfere, or there could be no interference whatever. But the noble marquis had said, that if you appoint a committee, you decide that there shall be no judicial proceeding, because by the report of the committee the cause of the accused would be prejudged. He (the lord chancellor) thought that there could be no judicial proceeding, but he thought so not from the reason assigned by the noble marquis. Why should a committee not decide that there were grounds of accusation, and make a report recommending a trial, which would be in the nature of a bill found by the grand jury? The committee might say there were no grounds for a judicial procedure, or they might say that there were. They might say that there was a case demanding legislative interference, or that there was not; but in no instance could injustice be done, as the decision of the committee was not final. There might be differences of opinion on the best mode of proceeding, but for God's sake, if their lordships differed, let it be understood that they had all the same object in view, and merely differed about the best mode of executing it. He thought the committee was preferable to any other mode of proceeding, and therefore should certainly support it.

The Marquis of *Lansdowne* explained. He had said that it was impossible for the House to be assured that the Commons would not institute judicial proceedings, and therefore that their lordships, by appointing a committee and adopting its report, would be previously deciding on charges which would afterwards come before them for judgment. There were other crimes and misdemeanors besides high treason that might be brought before their lordships, and by appointing this committee they disqualified themselves for deciding on all. There was no trust of greater importance, and therefore, none more deserving to become the subject of public investigation, than the trust which appertained to the situation of the queen of England. Could the noble lord take upon himself to say, that it would not be competent to the House of Commons, with respect to any act which constituted a breach of that trust, to bring the illustrious person in question, not under a charge of treason, but of high misdemeanor, before their lordships? Might not that mode of proceeding appear to the House of Commons to be the most fitting and decorous; and when the noble and learned lord compared the situation of the House to that of a grand jury, did he not forget that a grand jury could never afterwards become the petty jury who tried and decided upon the merits of the cause?

The Earl of *Donoughmore* could not allow the question to be put without stating the nature of his opinion to the House, particularly as that opinion was at variance with the sentiments of individuals with whom he had long been in the habit of acting, and for whose motives and conduct he entertained the sincerest respect. Differing from those noble persons, he felt that he ought to distrust his own judgment, but he could not consent to give up his opinion. The noble lords who had argued the question upon his side of the House appeared to have forgotten the nature of the proceeding the merits of which they were discussing. Those noble lords seemed to regard the proceeding as one which was to criminate and even finally condemn the illustrious person to whose conduct it was applied; but was it not most clear that the proceeding amounted simply to this—to an inquiry on the part of that House, conducted by a secret committee, conducted in the manner most decorous, most delicate, and most respectful both towards the parties concerned and towards the public, and conducted in the manner most peculiarly calculated to allay that irritation of which such frequent mention had been made? The question merely called upon both Houses of Parliament to advise the Crown whether, from any circumstances divulged by the papers laid before them a proceeding would or would not be necessary. Was not such an arrangement rather calculated to shield the illustrious individual from judicial examination than to deserve the name of a criminatory proceeding? The opinion which might be expressed by either House would not amount to an imputation of guilt; it would merely be a declaration that the papers did or did not contain matter upon which farther inquiry of some description would be desirable. If the committee should find no ground for inquiry upon those papers, then their report would be equal to an acquittal. He could not but complain of the frequent allusions which had been made to the irritated state of public feeling. Was there not full evidence to show the House that the greatest pains had been employed in order to raise and to foster that irritated feeling [Hear, hear!]—to garble and misrepresent the proceedings which had already taken place? [Hear, hear!] If the public feeling was to form a ground of opposition to an unobjectionable measure, it would soon become necessary that the House, in deciding upon any question, should first ask, what was the public opinion? With the noble lord upon the Woolsack he agreed, that the measure, instead of being severe was a lenient measure. When such attention was paid to public feeling, it ought not to be forgotten, that the character of the individual who stood in the high situation of queen-consort of England ought to be free from every stain. The noble lord then adverted to the income which her present majesty had enjoyed as princess of Wales, and to the approaching arrangement of her allowance as queen-consort. Although no one could doubt the propriety and the necessity of giving a sufficient income to that illustrious lady, yet the amount of that income might perhaps be influenced by circumstances, and for that reason also, the present moment was peculiarly well fitted for the proposed inquiry. The noble lord concluded by expressing his astonishment that the measure should have been opposed.

Lord *Holland* rose to explain. He said that the arguments which he had addressed to the House had been misunderstood both by the noble and learned lord upon the woolsack, and by the noble lord who had last spoken. The noble and learned lord had directed great part of his speech against that which had formed no part of his speech, or of the speech of his noble friend. The noble lord who had just sat down had spoken of the irritation of the public mind, and had expressed his disapprobation of the means by which that irritation had been excited. Certainly, he was much mistaken if he had said any thing calculated to increase that irritation and if there were arts employed to raise it, of which he knew nothing and accused no one, he would say, that whether such means were taken either in parliament or out of it, either in writings or in conversations, he from his heart abhorred and abjured both the means and those who would resort to them [Hear, hear]. He must be allowed to state, that, when he alluded to the irritation of the public mind he did not mean to urge that such irritation ought to induce the House to do right, as if it would have neglected to do right in case no such feverish sensibility had existed; but merely to contend that, where two modes of proceeding presented themselves, which hypothetically, might be considered as indifferent, and where a strong public feeling did exist, that in such a case it was equally the duty and the policy of men intrusted with the government of a people to select that course which, without defeating or disappointing justice, was most likely to remove both irritation and suspicion. He had been charged, as well as his noble friend with objecting to the severity of the present proceeding. He had not said that the present proceeding was more severe than any other. He had also been charged with objections to the appointment of the committee, which certainly had not escaped him. He had objected only to the system, as taken in connexion with the proceedings in the other House of parliament. If the House consented to select a grand jury from that same body which might afterwards be compelled to perform the duty of a petty jury, the House would place itself in a situation of suspicion and of embarrassment. He did not intend to deprecate inquiry; but certainly, if the House was to be called upon to decide upon charges of such importance as treason or misdemeanor, it ought to come unbiassed to the consideration of those charges. The noble lord who spoke last had spoken of the advantage which the illustrious individual would derive from such a report of the committee as would amount to an acquittal; but the committee of the House of Commons might possibly charge that individual with treason or with misdemeanor, and the answer given by their lordships would be that no judicial proceeding could be taken. If a committee however, were appointed, and he objected to a secret committee, nothing but *ex parte* evidence ought to be laid before it. The noble lord concluded by adverting to the painful situation in which the House was placed, and by observing that, as a peer of parliament he felt it incumbent upon him at once to call for justice to the individual, and to sustain those general principles by which the conduct of the House had in all cases been regulated.

The Marquis of *Lansdowne* wished that the explanation of his noble friend should be considered as applying equally to the observations which he himself had addressed to the House.

The motion was agreed to without a division.

HOUSE OF COMMONS.

Wednesday, June 7.

Boroughbridge Election.] Mr. Legh Keck informed the House, that the Select Committee appointed to try the merits of the Boroughbridge Election petition, had determined, "That it appeared to the said committee, that the merits of the petition did depend in part upon the right of election; and that therefore the said committee required the counsel for the several parties to deliver to the clerk of the said committee, statements in writing of the right of election for which they respectively contended: That, in consequence thereof, the counsel for the petitioners delivered in a statement as follows: 'That the right of election is in 'the tenants occupying burgage houses or 'the sites of burgage houses, in Borough- 'bridge, upon the roll or court call of 'the manor of Aldborough, such tenants 'being resident within the borough:' That the counsel for the sitting members, delivered in a statement, as follows: 'The 'right of election at Boroughbridge is in 'the boroughmen only: the boroughmen 'are men whose names have been duly 'and rightfully entered on the occurrence 'of a vacancy in the roll or book of the 'manor of Aldborough, and who have 'thereupon taken the oath of fealty for 'or in respect of certain ancient burgage 'houses or sites holden of that manor: a 'vacancy happens only on the death or 'voluntary resignation of a boroughman, 'or on his ceasing to reside in Borough- 'bridge:' that, upon the statement delivered in by the counsel for the petitioners the said committee have determined, that the right of election as set forth in the said statement is not the right of election for the borough of Boroughbridge, in the county of York: that, upon the statement delivered in by the counsel for the sitting members, the said committee have determined, that the right of election, as set forth in the said statement, is not the right of election for the said borough: that the said committee have determined, that the right of voting for the borough of Boroughbridge is in those persons whose names shall appear in the roll, or court call, of the manor of Aldborough, as tenants of burgage houses, or the sites of burgage houses, in Boroughbridge, and shall have been duly admitted thereon according to the custom of the manor, being resident within the said borough: that the said committee have determined, that Richard Spooner, esq., and Marmaduke Lawson, esq., are not duly elected burgesses to serve in this present parliament for the said borough: that George Mundy, esq., and Henry Dawkins, esq., were duly elected, and ought to have been returned, burgesses to serve in this present parliament for the said borough."

Ordered, that the deputy clerk of the Crown do attend to-morrow to amend the said Return.

Breach of Privilege—Robert C. Burton, Esq.] Mr. Stuart Wortley presented a petition from Messrs. Bolton, Gleadon, Thompson, and Frost, of Hull; and also of A. Rosser, of London, who had been ordered to attend at the bar of the House for a breach of privilege, in bringing an action of escape against the warden of the Fleet for discharging R. C. Burton, esq. from his custody, in consequence of an order of that House. The petition stated, that the two first petitioners were assignees, and the two latter petitioners, one the attorney and the other the agent to the attorney of the assignees of the estate of a bankrupt to whom R. C. Burton, esq. was indebted—that they had brought the action by advice of counsel—that they had no intention of violating the privileges of the House—and that they had, as soon as they were aware that they violated them, discontinued the action, and paid the costs of such discontinuance to the warden of the Fleet. They therefore prayed that, in consequence of their contrition, no further proceedings might be instituted by the House against them. On the motion of Mr. Wynn, it was resolved, "That, in consideration of the petitioners having severally acknowledged their offence, and expressed their contrition for the same, this House is content to proceed no further in the matter of the said breach of privilege."

Transactions at Manchester.] Sir Francis Burdett postponed his motion relative to the conduct of the Manchester magistrates on the 16th of August last, which stood for to-morrow, to the 21st instant.

Irish Still Fines Bill.] Sir *J. Stewart* moved for leave to bring in a bill to repeal so much of an act of the 39th of the late king, for the suppressing of the illicit distillation of spirits in Ireland, and the imposing of fines for offences of that nature on townlands and baronies, as directed grand juries to present off counties half the expenses of the extraordinary police establishment required under the provisions of the same act.

General *Hart*, in seconding the motion, observed, that the excise officers of Ireland were now, by the existing laws, intrusted with the management of a sort of extraordinary police. In consequence of the late acts to prevent illicit distillation, many districts of Ireland were reduced to a worse condition than if martial law were established in the country. The excise officers were at present making seizures of property, forcing open houses, and indulging in all descriptions of violence, guided by nothing but the hope of rapine and plunder. With respect to the offence at which these extraordinary proceedings were levelled, he feared no end would be put to it, till ministers took the question seriously into consideration, and gave them the only *bona fide* remedy—the establishment of small stills throughout the country, for the consumption of its produce, in the same manner as in Scotland, and as was the case in Ireland before the present system had been adopted.

Lord *Mountcharles* expressed his readiness to assist in any bill for the getting rid of the military police introduced into many parts of Ireland by the existing excise laws. He adverted to the great number of informations for illicit distillation at the last assizes at Donegal; and was of opinion, that ministers were called upon to relieve Ireland from so great a burthen as was imposed on her by the present excise laws.

Leave was given.

COMMUNICATION FROM THE QUEEN.] Mr. Brougham, her Majesty's attorney-general, acquainted the House that he was commanded by her Majesty to lay before the House the following communication from her Majesty:

"The Queen thinks it necessary to inform the House of Commons, that she has been induced to return to England in consequence of the measures pursued against her honour and her peace for some time past by secret agents abroad, and lately sanctioned by the conduct of the government at home. That in adopting this course, her majesty has had no other purpose whatsoever, but the defence of her character, and the maintenance of those just rights, which have devolved upon her by the death of that revered monarch, in whose high honour and unshaken affection she had always found her surest support.

"Upon her arrival, the queen is surprised to find that a message has been sent down to parliament, requiring its attention to written documents; and she learns with still greater astonishment that there is an intention of proposing that these should be referred to a secret committee. It is this day fourteen years since the first charges were brought forward against her majesty. Then, and upon every occasion during that long period, she has shown the utmost readiness to meet her accusers, and to court the fullest inquiry into her conduct. She now also desires an open investigation, in which she may see both the charges and the witnesses against her, a privilege not denied to the meanest subject of the realm.

"In the face of the sovereign, the parliament, and the country, she solemnly protests against the formation of a secret tribunal to examine documents privately prepared by her adversaries, as a proceeding unknown to the law of the land, and a flagrant violation of all the principles of justice: she relies with full confidence upon the integrity of the House of Commons for defeating the only attempt she has any reason to fear.

"The queen cannot forbear to add, that, even before any proceedings were resolved upon, she has been treated in a manner too well calculated to prejudge her cause. The omission of her name in the liturgy, the withholding the means of conveyance usually afforded to all the branches of the royal family, the refusal even of an answer to her application for a place of residence in the royal mansions, and the studied slights, both of English ministers abroad, and of the agents of all foreign powers over whom the English government has any influence, must be viewed as measures designed to prejudice the world against her, and could only have been justified by trial and conviction."

MOTION FOR A SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] The order of the day for taking his Majesty's Message into consideration, and also the message itself, having been read,

Lord *Castlereagh* expressed his persuasion, that in rising to call the attention of the House to the message which had just been read, and to propose that course of proceeding which it appeared proper to pursue, the House would readily perceive the great pain of the duty which devolved on him in introducing to their notice one of the most delicate, anxious, and momentous public questions that ever was agitated in parliament. And he could assure them, that if he and his colleagues were not confident that every consistent and practicable effort had been made on the part of government to avert the painful duty which circumstances now imperatively imposed upon them; he should rise with a still heavier heart than pressed on him on the present occasion. If the question had not taken the course which it had taken—still more, if the attention of the House had not been called to the subject by the communication which the hon. and learned gentleman had just made from the illustrious person concerned (and of which he by no means complained) there might have been less occasion for a sacrifice of personal feeling, as he should not have thought it necessary to draw the attention of the House, at present, to any particulars but the general object of his majesty's message. It was the constant practice of that House, whenever any communication was made from the throne, to take the earliest opportunity of replying to that communication; and, after that had been done, to consider what steps were to be taken in consequence. So far, therefore, as the former practice of the House could guide their conduct on the present occasion, the course to be pursued was simple and well defined; but he was sure that enough of temper had been disclosed within those walls—and he might appeal to the declaration of the hon. and learned gentleman himself whether there had not been enough of exaggeration and partial representation without doors—to call on him so far to travel beyond the strict necessity of the case, as to offer such explanations as might make the circumstances of which the House were to judge generally understood. In this explanation, however, he meant not to make any statement or remark that was calculated to prejudge the question, or to preclude the House from entering into the investigation with an unbiassed mind. The only object indeed, of what he had to offer, was to keep parliament and the public in such a temper as was necessary to enable both to examine the matter coolly, to decide upon it candidly, and to hear the truth—and that was the temper which every friend to public justice must naturally desire to establish and to preserve upon this very important question.

After these preliminary observations, he should address himself to that part of the subject which arose out of a question put to him yesterday, and which led naturally to the object now under consideration. He had been requested to state what was the nature of the proceedings which his majesty's ministers should think it their duty to propose or recommend to the House on this important and delicate question. But he should protest, *in limine*, against any attempt which had been, or might be made, to represent ministers or the Crown as coming down to the House with a tone of persecution or prosecution. He appealed to the House whether any part of their conduct led to any such conclusion? He trusted, that when the House adverted to the terms of his majesty's message, it would be of opinion that the communication could not have been made in more gracious terms—or terms more calculated to lead to a temperate discussion. The king threw himself, as he was entitled by the constitution to do, on the great council of the nation, in a question in which the interests of the country were as deeply involved as the honour of the Crown, and called upon them to give him that advice which, under the circumstances in which his majesty stood, they might think most proper. It was, indeed, the duty of the House, according to parliamentary usage, in such a case, to tender its counsels to the king as to what proceedings should be taken, or whether it was necessary or proper to take any proceeding at all.

He apprehended, therefore, that, with respect to the House proceeding to take the matter contained in this communication into their consideration, no difference of opinion could exist; and as to the mode of doing that, he conceived that the former practice of the House was so well defined, that there could be no difficulty in determining what course should be adopted on the present occasion. He apprehended that it was necessary that all the information which government possessed upon this subject should be duly examined, and that the House should be aware of the nature of that information, before it was called upon to consider and determine what proceeding it was becoming to pursue or to recommend. For his own part, he could assure the House, that no vote which he himself might give, or which he might ask others to give, in this stage of the business, was intended to fetter parliament as to the mode of any ulterior proceedings, or as to the substance of such proceedings, or as to the question whether, on the face of the documents communicated to the House, there were any grounds for a judicial proceeding at all. But at the same time he should mislead the House—and on that point he deprecated the idea of the hon. and learned gentleman deceiving himself—if he disguised that in those communications there was matter that gravely and deeply implicated the illustrious personage to whose conduct the documents referred. The message from the queen was, he concluded, authorized by her majesty's official counsel. According to that message, it would seem that that illustrious individual looked upon the present proposition as a secret proceeding of parliament, involving charges that rested on written documents, and that were to be decided by parliament as a secret tribunal, to the prejudice of her honour and interests. He wished he could as easily relieve the mind of the hon. and learned gentleman on the other parts of the case as he could on this misapprehension respecting the character of the proceedings. God forbid that he, standing in his present situation should say, that to be accused was the same thing as to be guilty! But at the same time, he thought it proper to observe to the hon. and learned gentleman, that although there was a great difference between accusation and guilt, the present charge rested on grave and serious grounds. It would not be expected that he should transgress his duty by disclosing to parliament the substance of these documents, but this he would state—that the charges were grave and serious; and, as far as he was at liberty to describe the information on which these charges were founded, he would say that so far from depending for its establishment upon written documents, it came from individuals who were ready to corroborate, by their personal testimony in the most solemn manner, and before any tribunal which might be appointed for that purpose, all the statements which they had made. Having said thus much, he would now apply himself to the course of proceeding which he should recommend.

And here he must say, that he was somewhat astonished that the able adviser whom the illustrious individual had on the present occasion, should have impressed her with the belief, that it could ever have occurred to the mind of any minister accustomed to the purest administration of justice in the world, that any guilt could attach to her majesty, or even to the lowest individual in the land, without a public hearing of the whole merits of the case,—without a full examination of evidence, such as was in all cases admitted in a court of justice, and without a full power of cross-examining that evidence, of rebutting it, and of impeaching the character of the witnesses, so as to afford every opportunity of proving or disproving the charge imputed. To this right, which the lowest subject in the realm might justly claim, the illustrious individual in question was surely entitled, and of this just right she would not be deprived. It was, quite astonishing to think that ministers could be suspected of any design or wish to deprive an accused person, in this or any other case, of all those safeguards, which in this country, where the laws were more purely administered than in any other nation upon earth, the legislature had provided for the interest of public justice and personal protection. Why then should it be imagined that it was meant to divest the queen of all share of those privileges, in which he would not say that she had any title to precedency, but which, at least, she enjoyed in common with all the subjects of this realm? But the fact was, that no such intention was ever for a moment, or ever could be, harboured by his majesty's government: the object of the message before the House being merely to obtain that advice which it professed to require; and if any proceeding were instituted, the illustrious personage alluded to would have ample opportunity of availing herself of the assistance of the eminent counsel which were constitutionally assigned to her. But there was a most serious and important question to be agitated *in limine*, and one that could not be better discussed and decided any where than in the legislative assembly of the kingdom,—namely, what was the best course of proceeding for asserting the honour and innocence of that illustrious person, if they could be asserted, and at the same time satisfying all the ends of justice? He would recommend the course which had been adopted by parliament on so many former occasions, as far indeed as the present case was not an exception to all former cases. There was not, indeed, any precedent strictly analogous for a long series of years; as the present case, he was sorry to say, formed a lamentable exception to our general experience. His object was to move for the appointment of a committee to examine all the information received by government upon this subject; and after the report of that committee should be received it would be for the House to decide what mode of proceeding should be adopted, that is, whether the case should be referred to the high court of parliament, or to the ordinary tribunals of the country, or whether a proceeding should be taken by bill. But the first object of the proposed committee, after investigating the evidence, would be to consider whether any proceeding should be instituted at all upon this subject. Until the House should be called upon to consider this case it was necessary, in his apprehension, that the nature of the evidence should not be made public. On the ground, indeed, of decorum and common justice, he felt that the investigation of that evidence should be referred to a Secret Committee, not in order to try the case, as seemed to be so erroneously supposed, but to inquire whether there was ground for trial—not in order to fetter or to bias the judgment of the House, but to do the duty of a grand jury [Hear, hear!]. To do no more, he repeated, than a grand jury, in ascertaining whether, upon the matter laid before them, there was sufficient cause to decide that the party accused ought to be brought to trial. The committee, then, was not to determine upon the question of guilt or innocence, but merely to report its opinion upon the evidence, with a statement of the course of proceeding pursued upon other or analogous cases, according to such precedents as the industry of the committee might be able to discover.

With respect to the mode of appointing the proposed committee, although there were precedents of appointing committees by ballot, as in the case of bishop Atterbury, where it might be said that a criminatory proceeding was foreseen, he was not disposed to follow any such precedent. But if the motion with which he meant to conclude should be agreed to, he thought it proper to give notice of his intention to move, according to the precedent in sir Thomas Rumbold's case, that the committee should be publicly nominated in the House in order to give greater facility for discussing its composition. In prosecution of this course, he would propose the nomination of members most accustomed to consider the practice of parliament, and most competent to judge of the laws of evidence, bearing in mind that this committee was not to decide upon the merits of the question, or to pronounce any decision affecting those merits. He did not mean to say that the committee would be incompetent to decide that there was no ground for any proceeding; and he could assure the hon. and learned gentleman that there were no individuals in the country more interested in the question than his majesty's ministers, or to whom it would be a greater relief to find that there was no ground for any further proceeding. They had certainly shown no anxiety, either individually or in their character of ministers, to rush into an inquiry such as this; but their duty now compelled them to sacrifice to the ends of justice those feelings of reluctance which they as individuals must entertain. From the number of cheers which proceeded from the gentlemen opposite, he doubted not that there was one in reserve for the declaration of his opinion, that he did not consider this committee to have any other effect or power than that of determining the mode in which the illustrious individual might best vindicate her character consistently with the ends of justice. If he imagined that any other interest was to be referred to that committee, there were no two individuals whom he should feel more imperatively called upon to nominate amongst its members than the two hon. and learned gentlemen opposite, the legal advisers of her majesty. But as he conceived the case to stand, he should think it inexpedient to introduce them into the committee; for should the committee report that there was nothing to impeach the conduct of the illustrious party whom they assisted with their advice, and that there was no occasion to proceed farther, this happy decision would receive no additional recommendation, either in the estimation of her majesty or in that of the public, from having been come to in conjunction with the two hon. and learned gentlemen who held the important and honourable office of her majesty's legal advisers. On the other hand, if the report stated that there was enough of grave matter in the documents laid before the committee to advise some ulterior proceeding, those hon. and learned gentlemen would be placed in the most embarrassing dilemma between their private and their public duty. If they concurred in the opinion that there was sufficient ground for ulterior proceedings, how much more painful would such a decision prove to the House, when sanctioned by two hon. and learned gentlemen who stood in such a situation? If they thought it their duty to protest against the decision of the committee, under what disadvantage would they not labour from being among the number of those through whom that decision had been formed? He therefore submitted to the House, whether, for every purpose of public justice and of duty to their illustrious client, these two hon. and learned gentlemen were not much more free to act by being omitted, than if they were to form any part of the committee. This, however, would not preclude the hon. and learned gentlemen and the House from exercising that jealousy which they might wish to throw round the question, from taking every precaution which a sense of duty might dictate, from sifting the matter to the bottom, and well weighing the subject before they gave their sanction to any farther proceeding. If the committee should recommend that this question should be referred to any legal adjudication, either in the other House of Parliament, or in the ordinary courts, or that a proceeding should be taken by bill, as in the instance of sir Thomas Rumbold, (and he wished to guard himself against being supposed to have any particular preference for that mode of proceeding) the hon. and learned gentlemen would have ample means, as well as ample opportunity of defending their client. In sir Thomas Rumbold's case, the report of the committee to whom the affair was in the first instance referred, was afterwards discussed in a committee of the whole House upon certain resolutions, and should such be the mode of proceeding determined upon in this transaction, the hon. and learned gentlemen, as members of that House, might most fully canvass the merits of the whole question, none of which merits could be in any degree compromised by the appointment of the proposed committee.

Thus far he had felt it his duty to show his view of the course that ought to be taken; and he thought he had satisfactorily answered the question which had been put last night, relative to the course which government intended to pursue. He had attempted to describe what would eventually be under the view of the House at large, when, assisted by the light derived from the committee and their own investigation, they might decide whether the case was one for the legislating of parliament, for an appeal to the high court of parliament, or for a reference to the ordinary tribunals of the country. He now came to the observations which dropped last night from the other side, and without noticing which he could not consistently terminate his address to the House. Doing this, he was unwilling to detain the House unnecessarily, by going into details, but he was anxious to protect them against error and delusion.—He appealed to them now not to decide on any part of this question, but simply to preserve that temper which was necessary to its dispassionate discussion, when the subject should come before them on a future occasion.—He could assure the right hon. gentleman opposite, and the learned and hon. gentleman near him, that it was impossible for them to feel the deep responsibility attached to every step which ministers might take in these most painful proceedings, more sensibly than it was felt by himself and colleagues. For them and for himself he had no favour to ask of the House, but that they would closely watch the conduct of the whole of his majesty's ministers, and determine if there was aught in their conduct which was dictated by any feeling other than that of regard for the honour and dignity of the Crown. At present, however, he thought it was a little premature to criticise their conduct as it had been criticised, while the facts of the case were so imperfectly known to the House. He apprehended the House could not be in a situation to judge of the advice given by ministers, till they were in possession of further information as to the circumstances in which the illustrious parties concerned in this question stood at the time that that advice had been offered. Till these were known, till the facts on which they had proceeded, and which ought not to be connected with any of the stories now afloat in the country, were brought before them, till these were known (though God forbid that he should for a moment assume that there was any presumption of guilt which might not be rebutted by evidence), the conduct of ministers could not be understood. Till the circumstances to which he had alluded could be explained, he hoped that, even in the eyes of the hon. and learned gentleman himself, it would not appear that there was any thing so flagrant in the conduct of ministers as to merit condemnation in the present state of the proceedings.

The hon. and learned gentleman had last night not merely insinuated, but he had broadly stated that it lay on the government not merely to make out a strong case of blame against the queen in the first instance, but also to prove that at the moment when the decision was taken to advise the king to send that message down to parliament which was now before them, no other course could be taken. This the hon. and learned gentleman had said would be necessary to justify the advice so given. Now, it frequently happened that those who agreed on most public questions were, in particular cases, as much at issue with each other as with those to whose views they were generally opposed. In proof of this, he would refer to the opinions given some time back by two individuals to whom he must listen with great respect on this or any other subject—the right hon. gentleman, and the hon. and learned gentleman opposite. The right hon. gentleman, when mention was made of the queen before the arrangement of the civil list, whether he spoke from information which he had individually received, or from the impression then made on the public mind, he knew not, but the right hon. gentleman had then called the attention of the House to the rumours which were afloat, and given it as his opinion, that conduct like that imputed to her majesty, went to degrade her high situation, and he therefore thought the rumours in question ought to be disproved before any grant was made in favour of her majesty; and he thought he was right when he added, that that right hon. gentleman had further remarked, that not to bring the subject fairly before the House, was to betray the king by exposing him to indignation, of which he ought not to be the object, or to oppress, insult, and vilify another illustrious personage, by withholding from her that justice which she had a right to expect would be rendered to her in the face of the country. The hon. and learned gentleman had thought, on the contrary, that it was the duty of government not to bring forward, in the shape of a charge, information which they might have received from various quarters, but which must of necessity be the nature of *ex-parte* evidence.—Such a course did not appear to the hon. and learned gentleman to be due to the king or to the parliament; but, on the contrary, he thought that it was the duty of ministers to avoid all painful disclosures, which, whether true or false, could not fail to produce a painful sensation in the country, to agitate the public mind and disturb the general tranquillity. Such a course of proceeding the hon. and learned gentleman considered it would be desirable to avoid, unless it should be forced upon them by the strong hand of necessity. From that hon. and learned gentleman he had heard no relaxation on these points; and even in the conversation of yesterday, speaking as the advocate of her majesty, he had been disposed to charge it upon ministers, that they had not carried their forbearance far enough; and to contend that even after the arrival of the queen in this country, they ought not immediately to have come down with a message from the king, but might still have kept open what he had been pleased to call "the door of negotiation," in the hope that something might arise to relieve the House from the painful and arduous duty which they were now forced to take upon themselves. Now he would own that if he had had any doubt of the propriety of the course pursued by ministers (which he had not), it would have arisen from an idea that forbearance had been extended somewhat too far. The transactions of the last eight and forty hours furnished a pretty sufficient comment on what might have been expected from a negotiation, as it was called, since it was seen, that the illustrious personage who was the subject of this discussion, was so little under the counsel of the hon. and learned gentleman, her legal adviser, that by his own confession those documents connected with the arrangement lately proposed, which had been published, had been so published without his consent. The hon. and learned gentleman had felt it due to himself to declare, that he had not advised that publication, and to admit that it was garbled, imperfect, and untrue. Under whatever lamentable, and he might add criminal advice, that publication had taken place, it was evident that the object of it was to appeal to the lowest orders of the people; and the purposes which it was intended to answer could be concealed from no one who did not wilfully shut his eyes. He regretted that, on such an occasion her majesty had not resorted to the advice of those who were her professional advisers, and that she should have suffered by a base and pernicious interference. That her majesty should act with a consciousness of innocence every man of feeling would rejoice; but it would have been matter of satisfaction to have found her guided by those gentlemen.

If any feeling but regret could have place in his breast at this moment, he should rejoice that, from the circumstances of the case, no doubt could exist as to the propriety of the course which ministers had taken on this melancholy occasion. The illustrious personage herself had been fully apprized of their resolution; the conduct of ministers, free from all disguise, had made her distinctly understand the consequences to which the step that she had resolved upon must inevitably and immediately lead.—He did not wish to insinuate any thing to the prejudice of her majesty, much less to throw blame on the step which she had taken, if she felt assured that she could establish her innocence. The best feelings of human nature in such a case would naturally rise up in her behalf. It was, however, of importance that it should be known, that the course intended to be pursued by ministers had never been concealed from the parties best entitled to be made acquainted with their decision. In this statement the hon. and learned gentleman would hear him out. The intentions of ministers had been communicated at the earliest period at which they could be communicated; and he believed he might say, that they had been known to the hon. and learned gentleman for above a month. This was the last subject on earth with which he could wish to connect any discussion about words, but he thought, if at all disposed to do so, he had a right to quarrel with the use made of the word "negotiation" by the hon. and learned gentleman when speaking on this subject. He, for his part, in opposition to that hon. and learned gentleman, conceived no negotiation at all to have taken place, unless an unreserved exposition of what were the views of ministers deserved that name. He, however, could not admit that they had entered into any negotiation, or that they had offered any thing like a bribe to the illustrious individual whose case was now to be brought under the consideration of parliament. All that had been done by ministers came to this—they had explained their views to her majesty, and informed her, that the consequence of her return to this country would be, that the whole of her conduct must immediately become the subject of a parliamentary inquiry. He had not thought that it was the duty of government to bring forward this question at all while her majesty remained abroad. On the contrary, it was his opinion that the necessity of such an appeal might be avoided, and that that practical separation which had been so far justified or explained, that it had been recognised by parliament, and a bill had passed to regulate the relative situations of the illustrious parties, might have been continued without inconvenience to the parties, and without calling for any new interference on the part of the legislature. If, then, her majesty had chosen to remain in a foreign country, he should have thought it his duty by every means in his power, to avert those calamitous discussions which were now unavoidable. He had no hesitation in saying that such was the part that he would have acted, and he was astonished at the observations which had fallen from an hon. gentleman opposite (he must impute them to the warmth of the moment), who had conceived ministers to have been guilty of a most flagrant breach of duty in offering her majesty what he had been pleased to call a bribe. He denied that any bribe had been offered, and he denied that the servants of the Crown had at all forgotten what they owed to the constitution of their country, by entering into what had been described to be a negotiation without the authority of parliament. It was the constitutional practice for the Crown to adopt such measures in pecuniary matters as it should think fit in the existing circumstances of the country, and afterwards apply to parliament to make the same good. Honourable gentlemen would allow him to recall to their recollection, that so little were the House disposed to take umbrage at this course of proceeding, that it had been the constant—the unavoidable practice. If a subsidy were given to-morrow (supposing the country to be engaged in a war) to a foreign country, the first step he would take would be to advise the Crown to contract for the subsidy, without making any reference to parliament in the treaty. It was so well understood that the Crown in making such a treaty only engaged to use its best exertions to gain the sanction of parliament to the proposed grant, that any stipulation on the subject in the body of the treaty was wholly unnecessary. In the present case, the same course would have been pursued, and looking at the circumstances, could it be for a moment supposed on the part of the Crown, that in the measure resorted to there was any—the slightest intention of encroaching on the constitutional functions of parliament. Having always supposed that it was the intention of her majesty to remain abroad, he had thought that, it would be right to return to that specific quantum of allowance which had formerly been granted to her, a part of which she had thought it her duty to decline receiving. Looking at the calamitous separation which had taken place —looking at all the circumstances of the case—he had considered it right to bring up her majesty's income to the amount which it had formerly been proposed that she should enjoy. The House were aware that under her marriage settlement, in the lamentable event of the death of his majesty, she would be entitled to an income of 50,000*l.* as widow of the king. He had therefore thought it desirable that an annuity to that amount should be granted now, that the subject might never again come before parliament. This, then, had been proposed to the queen, and he had no hesitation in saying, that when proposed, the only condition coupled with it was the stipulation that she should remain abroad.

Now, with respect to the supposed proposition that the queen should give up her title and all the rights attached to her situation, no such proposition had been made, and no such proposition could be made. Nothing had been proposed to her but an arrangement by which it was hoped that all debates of a hostile nature might be avoided. It was obvious that no consent of the queen to surrender her rights as queen could be valid without the interference of the legislature, and without an act of parliament. Ministers had been anxious that such measures be adopted that should prevent all future conflicts, both at home and abroad, between the illustrious parties. It was obvious, that if her majesty resided in England, both the king and herself would frequently be exposed to much painful embarrassment, and it was but too evident that there was in this country no lack of disposition to turn such circumstances to answer the most mischievous purposes.—If, therefore, the queen thought proper to remain abroad, receiving 50,000*l.* per annum, her majesty was not required to abdicate any of her rights as queen of England, but merely to do that which was the common, he might almost say, the uniform practice of persons of her exalted rank—to bear in travelling, such a title as would not raise that perpetual question between her majesty (from her wish to be received in her public character) and the king, which had been productive of much pain to the queen herself, and of much inconvenience to other parties. She was not required to surrender any of her legal rights or claims whatever, and in this he was sure he should be borne out by the hon. and learned gentleman himself, who was in possession of a document which placed the intentions of ministers in this respect beyond the possibility of doubt.

In what he now stated he had no wish to screen his own conduct, or that of any of his majesty's ministers from reproach, if it should appear that they had acted with harshness or exercised ungenerously any influence which they might possess. If they had subjected her majesty to any unnecessary, unmerited, or unbecoming restraint or contumely, he did not wish to relieve himself or others from any charge that might be brought forward on this point, and he wished it to be understood that no member of the House by his silence this night, would be precluded from bringing forward such a charge if he saw reason for it on any future occasion. But it would be wrong in him not to put the House in possession of what he should be prepared to contend when this subject came forward at a future time. He would then maintain that the conduct of his majesty's government had been marked by no harshness unbecoming them as ministers, or unbecoming them as men. They had no wish whatever to deprive her majesty of those rights and privileges which she ought to enjoy. But here he must be allowed to take a distinction between those privileges given by the law and constitution of the country to the queen of these realms, and those which usually appertained to her rank, but which it was in the discretion of the sovereign to bestow. These the queen of England did not enjoy of right; and because she was denied these privileges, which it rested with the sovereign to confer, it was not to be assumed that she was treated with injustice or oppression. The distinction which he took was between the queen of right and the queen of grace and favour. Under the privilege of the king it was, that she might be received at court. The king of this country was the master of his own court and family, and that House was the last place in which a doubt on that subject could be entertained, as it had there been admitted that the king was the master of his court as the queen was of her drawing-room, and his majesty had a right without appeal to any human being to admit or exclude from court any one he was so disposed to act by, or to treat any member of his family with either favour or discouragement. It was especially desirable that the king should possess the power of entailing the loss of these privileges on those who were wanting in respect to the Crown. This power ought to belong to the sovereign; and privileges which were conceded as favour, could not be claimed as a right. Without pursuing this branch of the subject further, he thought the House would feel, and that the hon. and learned gentleman would forgive him for saying, that because the Crown chose to withhold certain favours which it was in its power to grant, and that at a moment when a judicial inquiry was pending, it did not follow that the Crown was a party to any act of injustice, or course of proceeding that might prejudice the individual whose conduct was about to be called in question. He apprehended that the coronation was also a privilege which must be considered as derived from the grace and favour of the Crown, but he would admit that in this the Crown should not act irrationally, but upon intelligible principles. In the same manner must be viewed the reception by authorities at home or abroad; they all proceeded from the grace and favour of the sovereign. Was it meant to be said, that the Crown, for exercising its undoubted prerogative in withholding these distinctions, was to be accused of injustice towards that individual whom its determination affected? However averse hon. gentlemen on the other side might now be to the exercise of the king's undoubted prerogatives, he recollected an instance in which an accusation had been prepared against a minister of the Crown, who had retired from the councils of his sovereign, and whose situation of privy councillor was to be considered, therefore, as a dormant honour. In that case, even before any judicial inquiry had taken place, his removal from the privy council had been proposed, and pressed on the other side of the House. He should be prepared at another time, to contend, that it was entirely in the discretion of the Crown whether the members of the royal family should be prayed for in the liturgy, by name, or generally as the royal family; but, above all, he should contend that it was for the Crown to grant or withhold such a favour. It might be asked, why should they now do any thing, as in the case of her majesty, which they had not thought fit to do, as in the case of the princess of Wales? Why was there to be this distinction observed towards her in her new character? If, in short, they had permitted her to be prayed for as princess of Wales, why should they now interfere to prevent her being prayed for as the queen? To this the answer was, that so long as her majesty did nothing to force on the Crown the consideration of the question now before them, no charge had been sought for, and nothing but the most cogent and most paramount necessity could have induced ministers to take a step which must expose the Crown and the country to the calamitous embarrassment by which they were now menaced. But the House would allow him to say, that for the government to decide as to what should be done about disturbing an existing state of things, or as to what it should do under a new state of circumstances, with reference to certain measures proposed to be taken, was a very different question. As long as her present majesty, then princess of Wales, continued abroad, there was nothing in the situation of that illustrious personage which it was for government to bring under the notice of the House. Her income was settled; it was paid in her absence regularly, and without interruption; and nothing occurred which was necessary to be submitted to their attention; and therefore the clear and determined purpose of his majesty's government, and upon which they had all along acted, was this,—not to disturb, excepting under some paramount and imperative state of affairs, by the agitation of any question which concerned her, the peace of the public; nor incur the hazard of forcing upon the country all those calamities which such a proceeding might eventually produce. But it was a very different question with them, when that state of things did happen, and make it necessary that the allowances and income of that illustrious personage should come before parliament. So far as concerned her income, the necessity was unavoidable; for it lapsed with the demise of the Crown. Her majesty's former character might make the course of conduct to be observed by government matter of prudence, discretion, and duty; whatever they might have considered that conduct ought to be, they would have felt, by possibility, that they were to act according to the best of their discretion. They might, on the other hand, have decided (as they did decide) not to act at all. But that case was widely different from one in which they were called upon to decide upon those honours, not such as he had alluded to which belonged to the queen by the constitution of the state, and which ministers never did refuse or hesitate to allow her. Then, again, it became a matter of discretion, whether to withhold or allow those other honours which it was only in the power and discretion of of the Crown to bestow; and whether or not they would advise the Crown, from a sense of public duty, to exercise its prerogative, in regard to them. He should not now attempt to justify the decision which might have been come to upon every individual point of this latter subject; but this he would say, that with respect to this prerogative, the exercise of which so rested in the discretion of the Crown, government were not only justified in not advising the Crown, under the circumstances of the case, to order that the name of her majesty should be inserted in the liturgy, but it would have been worse than mockery to have done so.

Now as to what had been alleged upon the subject of the behaviour of foreign ministers and authorities to the illustrious personage herself, he would observe, that our public ministers abroad had been instructed as to the conduct they were to pursue as long ago as the year 1817. So far as he had since had any occasion to address them relative to the respect which was to be paid to her majesty, the queen, he had always referred them to the term of the instructions given to them at that period. He should have no objection to state what was the purport of those instructions. As the instructions themselves would, perhaps, more regularly come before the House on a future occasion, he would content himself with stating their purport. Previously, he would only say, that they did not arise out of any spirit of persecution, or any wish to do that which should be painful to the feelings of her majesty; nor had any thing occurred which was likely to produce such an effect, excepting, possibly, the advice which had been suggested to her majesty to remain abroad. Those instructions then arose out of an application to government from one of our ministers at a foreign court, whom he named without any hesitation. It was the minister at Stutgard. He asked, what was to be the mode in which he was to conduct himself towards the illustrious personage in question? The instructions were founded upon those grounds on which the present discussion, in some degree, must proceed; but the peculiar circumstances of the case were those which he did not think they had at present any right to enter upon; and into which it was not their province to inquire. But, abroad, her majesty was known to be excluded from the royal family, and from the court of this country; and upon this same principle it was quite impossible for ambassadors in foreign countries to give to her majesty that public reception in foreign courts which she was not entitled to at home. This was a principle which he presumed was not to be disputed; he apprehended it would follow as an inevitable consequence from the first part of the proposition, that the ministers of this country would labour under an insuperable difficulty with respect to the reception of her majesty in foreign courts. These instructions distinctly stated, therefore, that they were not in their official character to give to her majesty any public or official reception; that they were not themselves to be the instruments of introducing her majesty at foreign courts; and that if any foreign court should think fit to give a public reception to her, they were not to assist on the occasion as the ministers of this country. But it would be found that it was laid down in those instructions, quite as broadly, that they were equally enjoined to obtain for, and give to her majesty every possible facility and comfort in the prosecution of her travels through the kingdoms where they might be stationed; and that she was not to receive any interruption. He was prepared to show many instances of general and special protection which had been afforded to her by our ministers at foreign courts; and that his majesty's ministers were most anxious that no obstruction should be thrown in the way of her coming to this country, if she thought fit to adopt that course. He felt it incumbent on him to plead in bar to the indictment of studied oppression, and if he did not enter more fully into the subject at the present moment he begged the House at least to suspend its judgment. He hoped, however, that the House were satisfied with the explanations he had given; and he had no hesitation in adding, that the miseries which had attended her majesty's travels arose from the situation of her majesty herself. He had already explained, that her majesty, since the accession of his majesty, had travelled under no other character than that of queen of England; and the fact was, that her majesty was in the habit of pressing the question of her public situation upon the public authorities of countries; and, first, upon our own ministers, because they were the channels of the highest respectability for introduction to foreign courts. As to guards of honour, which were matters of favour, and by no means matters of right, they were not usually granted to those travelling under an incognito; and from this, and other circumstances, it was to be inferred, that her majesty's own acts were the only reason why every facility, of every kind, was not experienced by her. The only question was, whether there had been any unbecoming severity or harshness manifested towards her majesty, with respect to her coming to this country. With regard to what was foreseen might be the immediate determination of her majesty upon that head, she was placed in a situation in which she was enabled to know clearly what would be the inevitable consequence of such a step. His majesty's ministers were resolved, that as long as her majesty remained abroad, and persevered in her determination of residing abroad, so long they would refrain from taking any steps in the case; and he did not know upon what other grounds they were to consider themselves called upon not to disturb the existing state of things. But from the moment that her majesty determined to come over to this country; when she claimed to be received as queen, to be lodged as queen in the palaces of the country, and to receive all the honours due to that exalted station, from that moment his majesty's government had no option, nor could they suffer parliament to remain in ignorance of the charges which existed against her.

It had been said that it would have been more suitable to the hospitality of the country, if her majesty had been provided with a royal residence, instead of being obliged to reside in a private dwelling, but he would state why he thought this was not a correct feeling. The contrary decision did not grow out of any disposition on the part of his majesty's ministers, and still less of his majesty, to cramp her majesty in any circumstances which might contribute to her convenience. The House would recollect the readiness with which the Crown, at a former period, gave every facility to parliament to afford an income to the queen, more ample than her own sense of duty permitted her to accept. On the very first day of the sessions, measures were taken to relieve her majesty from any pecuniary embarrassment which the lapse of her income might occasion; and on her arrival in this country, a communication had been made to her banker, that no interruption would take place in the allowance of her income, until the question before parliament should be decided, and that she had only to send her agent and every necessary advance and accommodation would be afforded. He denied that the members of the royal family had any claim of right to be accommodated with a residence in the palaces of the country, and in point of fact more than one-half of the members of that illustrious family were lodged in private residences of their own. He knew of nothing in the circumstances of the case which should render his majesty's ministers so specially in haste to advise any mark of exclusive grace and favour to her majesty. Every disposition, however, was shown to furnish her majesty with the means of procuring a suitable residence for herself.

He had now touched upon most of the topics connected with the question, and he would only add, that his majesty's ministers had been as anxious as possible to soften the distressing features of this case, and to avoid every thing that had a tendency to agitate the country. He could not disguise either to himself or to the House, the anxiety and embarrassment which the House might have to encounter in the further prosecution of this inquiry, but he trusted, that whatever were the difficulties of the case, whatever might be their feelings upon it, yet, under the influence of our happy constitution, there would be wisdom enough in both Houses of Parliament to meet them; that there would be found to prevail the most temperate deliberation, and an absence of all that feeling and irritation upon the subject which might prevent parliament from arriving at the only goal, which, he would assure the House, was contemplated by his majesty's government — namely, the execution of impartial justice between the parties, without favour or affection. He did trust that the tone and attitude which were always assumed by parliament upon great occasions, would be preserved upon this; and that though the people could not help sharing in the pain which the unfortunate circumstances of the case were calculated to cause to every bosom in the country, yet they would have the satisfaction of knowing that the interests of justice were properly supported. But if any disposition existed to make this question the means of agitating the public tranquillity, at present but imperfectly restored; if, unfortunately, the illustrious personage had lent her ear to any mischievous or false adviser, who had taught her that either her honour or her innocence—and he trusted that she might be able to vindicate both — would be supported by the agitation of the country, her majesty would, he trusted, awaken to the conviction that she could reap nothing but regret and disappointment from allowing herself, however undesignedly, to be the dupe of such a wicked and dangerous individual. If her majesty had any enemies upon earth, whose advice could make her cause despicable as well as odious in the sight of all honest men, they were those who would advise her to a garbled, untrue, and inaccurate disclosure of facts, or who recommended any appeal but to parliament, which would hear her with that favour with which it was always disposed to listen to the accused. It was only by ignorant, weak, or wicked persons, that any other appeal could be advised which might have the effect of reviving crimes or repeating agitations which had already disturbed and disgraced the country. He trusted that if any such individual had presumed to approach her majesty with this pernicious advice; if she had allowed such suggestions to remain upon her mind—advice and suggestions not more remarkable for their mischief than their incapacity—and tempt her into crooked, and thorny, and dangerous paths, she would speedily be reclaimed to a sense of what was due to her own cause and character; and that she would perceive that the constitutional means of inquiry and explanation which parliament would afford her, were the only means by which she could properly and fully vindicate herself. He would conclude by moving, "That the Papers which were yesterday presented to this House by lord viscount Castlereagh be referred to a Select Committee, to consider the matter thereof, and to report the same, with their observations thereupon, to the House."

Mr. *Brougham* assured the House and the noble lord, that the noble lord himself could not have risen with greater pain than he did on the present occasion. That pain, however, was occasioned not by any reluctance to perform that which he felt to be his bounden duty, but from his consciousness of the importance of the interests entrusted to his care. The hour was now come when it was incumbent on him to defend those interests to the best of his ability, although under the consciousness of his inadequacy to so great a task. On such an occasion it was natural that he should feel an anxiety, painful on every consideration; whether he regarded the vital importance of the discussion to the illustrious individual most immediately concerned, to the dignity of that great family with which that illustrious individual was connected by blood and marriage, or to the interests of the community at large. Nor was it less important as it regarded the constitutional course of justice, and the character of parliament. To that parliament the illustrious lady to whom the present question referred, made her appeal. She courted not those mobs of which the noble lord had spoken. Her sagacity, not inferior to that of any person in public or private life, whom he had ever known, and the propriety of her mind, which, in spite of the calumnies which had been so industriously circulated, was not impaired by what was so generally ruinous to the delicacy of a female—absence from her family, where delicacy of character was best cherished—a removal from the country deprecated by her, but to which she felt it necessary to submit—and, above all, the withdrawing of that salutary control which more than any other cause established domestic habits, and was the best preserver of female propriety and delicacy—he repeated, that that sagacity and propriety with which nature had largely endowed her, would have taught her, even had the circumstance of her illustrious birth been wanting, to shun any inferior or degrading association. He prayed and implored of the justice of the House, to set out on the task of the inquiry, which unhappily must now be undertaken, with this principle of common justice—not only to believe the illustrious person accused to be innocent until she was proved to be guilty; but to suspect the reality of outward appearances, which it might not be practicable at once to explain. That which appeared at first sight conclusive, might, on a little scrutiny, admit either of explanation or excuse. He said this, not with any view to the merits of the case itself. The question of guilt or innocence was not now to be grappled with. Before that came to the issue much was to be gone through. No little inquiry was to take place above stairs, and he flattered himself no little discussion in that House. But he said it with a view to some circumstances, which, though of minor importance to that great question, were still of some importance. He alluded to some subjects to which the noble lord had more than once adverted. He entreated the House, however, only to reflect on the situation of an illustrious female, a foreigner, unprotected, almost unattended, deprived of her natural guardian, after a short residence in this country, induced by circumstances, into which he would not then enter, six years ago to quit it, and ever since to live almost involuntarily abroad; and then he would ask any gentleman, he would ask any man with ordinary candour, if he could seriously blame, or impute error to her for listening to certain recommendations which he was persuaded were well meant, although he admitted they were not those of absolute wisdom [a laugh!]. Undoubtedly he considered those recommendations as well intended, and therefore as not justly subject for an instant to reprehension; but he flung himself on the House, as the illustrious female had done for her justification, whether it was very extraordinary that the conduct consequent on those recommendations had borne the appearance of making an appeal of the nature and tendency of which she was, nevertheless, not in the slightest degree aware? To that House she now applied for justice. Nothing which he could say could add to the force of the solemn appeal which she had that night made to it. But he might be permitted to remark, that it was not extraordinary, that an individual placed in the peculiarly difficult situation of her majesty, should open her heart to the overflowing affection of the honest people of this country. Neglected as she had been by some, slighted by others, not fairly or liberally treated by any, left almost exclusively to her professional advisers, was it surprising that she should for a moment yield to the agreeable and soothing feeling which must be produced by finding that her countrymen (of what rank soever) still clung to her with the affection which they had expressed in former times?

He had thought it necessary to make these preliminary remarks, in order to show that her majesty's having given vent to feelings of gratitude, at the reception she experienced, was not only not improper, but that it was incumbent on her. The only way to have avoided the occurrence was not to have come in contact with those by whose conduct it was elicited; and this was an object which was contemplated, but which an unfortunate accident had defeated. He now came to the proposition before the House. He was surprised that the acuteness of the noble lord had allowed him to mistake the character of her majesty's complaint against that proposition. The noble lord argued as if her majesty complained of the reference to a secret committee of the documents on which the charges against her were grounded—documents of the nature of which she could not by possibility know any thing—on the assumption that that committee was a tribunal of ultimate judicature. "Oh! no," said the noble lord, "there is nothing in the appointment of the committee which will prevent the most ample opportunity from being subsequently afforded of open investigation, of examining witnesses face to face, and of controverting one description of evidence by the production of another." Her majesty was perfectly aware of that. That illustrious person was too well apprised of her own situation—too well acquainted with the principles of English law—to entertain any such supposition. The declaration of the noble lord could therefore give her no consolation or relief. She knew, that if the inquiry proceeded beyond the threshold of the committee, it must be an inquiry of open examination. She knew, that there was no power to pass a bill affecting her, without such an examination. She knew that parliament was omnipotent; but that it was omnipotent only to do justice. She knew that it could not pas a bill of attainder against her without a previous hearing. She knew that the noble lord would hardly take for his model the proceedings in lord Strafford's case, and still less would dare to take the monstrous proceedings of the reign of Harry the 8th for his precedents. She knew that not only the noble lord, not only the ricketty and shattered fabric of the ministry of which the noble lord was the organ, but the administration of Mr. Pitt himself, in the plenitude of his power, even had that administration been fortified by the only element of superior talent possessed by the present government, in the person of an illustrious commander, whose achievements had been as serviceable to the country, as glorious to himself,—she knew that even such a ministry would have found it a task infinitely above their strength, to pass a bill on the report of a select committee, without evidence on both sides—without the examination of witnesses—without confronting the accused with the accuser—and without all those other forms which the law prescribed. He would not therefore take the observation of the noble lord as any concession. He would not counsel the illustrious person for whose benefit it was made to receive it as a mark of concession or kindness; or as a proof that she had better throw herself on the parliament than on the people. He would wait to see what parliament would do, before he would quite allow that the noble lord's preference of it was justified; and in the mean while he would not consider the noble lord's argument on the subject, as exhibiting a shade of advantage to an appeal to that tribunal.

The noble lord had compared the proceedings of a select committee to the proceedings of a grand jury. He (Mr. Brougham) confessed himself astonished how any man could in sober seriousness make such a comparison, or conjure up an analogy between things not at all similar. "Oh!" said the noble lord, "what I propose is just what takes place in ordinary cases. A bill is preferred before a grand jury, and if that bill is found, then, and then only, a trial ensues." Was any man convinced by this remark? Let the House observe the difference. In the first place, a grand jury was sworn. In the next place, it was impartially constituted. It was of no earthly importance to any member of a grand jury, whether A B, a labourer, did actually kill and slay C D, another labourer, by force of arms. The thing was a matter of absolute indifference to a grand jury; and with perfect propriety towards A B, or towards the friends of C D, a grand jury might be intrusted with the power of inquiring whether or not there was a *prima facie* case for trial. He repeated that a grand jury was most impartially and indifferently selected. The panel had no connexion with the issue sent to them to try. The accused had as much to do as the accuser with the striking of the panel. Certainly the investigation was an *ex parte* one, and it took place in the absence of the accused. But on what sort of evidence did it proceed? Was it on papers, on letters, on anonymous scraps of information, transmitted from beyond the Alps by a secret commission, sent out God knew when, and for what purpose till now a secret; although it had now come out that it was for the purpose of saving a committee of the House of Commons trouble, and enabling them to come to a decision without being at the pains of examining witnesses on their own part. Without inquiring what the evidence to be submitted to the select committee was composed of, and of course he was in utter ignorance of its contents, for he had seen only the outside of the green bag, and nothing more—it was enough for him to find that that evidence was all within the bag; that there were to be no living witnesses; that all the information on which the committee were to be called upon to proceed was information in writing. It was true that he should be told the information would be authenticated; that the signatures of those who had furnished it either here or at Milan, would be proved genuine. And here he must confess himself totally at a loss to understand how a man, ranking highly in a most learned profession, one of the king's counsel—a man universally respected for his learning and acquirements—a man, until this ill-fated hour, universally esteemed by a large circle of friends—a man, who was a candidate for a lucrative, and what in fact might be considered a judicial office (he meant the situation of a master in Chancery); he was at a loss to understand how such a man could be induced so to let himself down to the level of agents of a very different description, as to accept a commission to go to a foreign country, there to collect the tittle-tattle of coffee-houses and alehouses; the gossip of bargemen on canals, and ferrymen on rivers, and porters of chateaus, and cast-off servants dismissed with dishonour by their mistresses; and to employ himself, month after month, in taking down the calumnies of a class of human beings so degraded, that their appearance in any court of law, was always stamped with infamy, and in collecting from such polluted sources a mass of evidence to fill a green bag for the noble lord opposite! Such a proceeding appeared to him to be utterly unworthy of the individual, and derogatory from the purity of professional honour; and he could not pass it by, without expressing the indignation which as one professional man he felt at the conduct of another—conduct humiliating and mortifying. If it was necessary that such base and worthless work should be done, it ought to have been performed by hands naturally mean and grovelling; and not by those accustomed to more honourable occupation. Let no man dip a finger in such filth who was not born to degrade the human species.

According to the noble lord, however, it seemed, that all that a committee of that House could do against her majesty was nothing, because it could come to no final judgment; or pass a bill of attainder, or injure her by its decision. He denied this position at once. He maintained that the report of a committee of the House of Commons was no indifferent matter to any person, whether of high rank or of low. He would put it to any man who believed the soundness of the Gospel recommendation, "to do unto others what he would they should do unto him," how he would like to have a committee of 21 persons, in the choice of whom he had no share, named by ministers, who were deeply interested in securing the goodwill of a party, between whom and himself there existed not only no friendship, but, in the words of the noble lord, "an irremediable difference," an alienation, a separation, a breach which could not be healed; he would not say leading to animosity, or sourness, or least of all to hostility, but to a frame of mind not of the most favourable nature? He would put it to that man how he should like to have investigated, by a committee thus selected by the servants, he would not say of his enemy, but of his antagonist, his whole conduct for six years, at a distance of a thousand or twelve hundred miles, how he should like to have that conduct sifted or scrutinized without the examination of witnesses, or without himself being aware of the precise nature of a single charge against him? He would ask any man to lay his hand on his heart, and say how he would like to have a committee thus composed, and thus proceeding in their investigation, make a solemn report to the House of Commons on his conduct? It was true, as the noble lord had said, that if the committee, which it was proposed to appoint, should report that there was no ground for inquiry, no harm would then be done; and especially if the professional friends of her majesty were excluded from that committee. But did the noble lord believe that such would be the case? Were he in such a predicament personally, there was nothing of his earthly goods, nothing of his future hopes, which he would not cheerfully surrender, in order to avoid the dreadful alternative which must await him. The noble lord would tell him, that from the report of a committee he might appeal to the House. His answer would be, that he must do so if he could do no better. But he should feel traduced by the report of a committee, although drawn up in the mildest form of words which the oily rhetoric of the noble lord could suggest—if it only replied "aye" to the question whether there appeared to be ground for any farther inquiry—he should feel that he was traduced and blasted up to that moment. Unquestionably, the resource that he should have would be to apply to the only tribunal that would then be open to him. But many things might happen to deprive him of the benefit of that tribunal. His witnesses might die—parliament might be up—he might not survive the natural operation of that excessive anxiety which such a situation and such circumstances must necessarily generate. Even if he did so—his fair fame blighted—the most precious of his earthly possessions taken from him—the application of the only remedy suitable to his case would be uncertain; and even if he were to go to trial, it would be with an immeasurable mass of prejudice against him. In vain, therefore, had the noble lord compared a select committee of that House to a grand jury. They were totally unlike.

It was the opinion of the noble lord and his colleagues, that there was matter for inquiry. Let them themselves act on that opinion. Here the noble lord and himself were at issue. But no. The noble lord and his colleagues preferred the appointment of a committee. They wished to shift the responsibility from their own shoulders. They sought to shelter themselves under the authority of better names than their own. They endeavoured to screen themselves from that which they ought to take with those places which they held so dearly, and held so fast. They wished to be covered from the public eye. They had no objection to impose the responsibility of inquiry on a committee of the House of Commons. But they did not dare to face the question in the manner in which as men and as ministers they ought to face it. The doctrine which he was asserting was the doctrine of the constitution. Let the House consider the advantages of such an inquiry as that he recommended. It would be really a secret inquiry. No one would know of its existence until it terminated; and even then, if it appeared that there were no grounds for farther proceeding, the whole of the circumstances of the case would be buried in silence. On the contrary, if ministers resolved that there were grounds for farther proceeding, their report would be just as good as the report of a select committee of the House of Commons. He, for one, would just as lief have their report as the report of a select committee, and there was this material difference between them, that the verdict of the former, if unfavourable, would leave no stain. This was the broad ground which he took on the present question. The only reason assigned by the noble lord for the appointment of a secret committee was the necessity of some preliminary inquiry. He (Mr. Brougham) put it to any man, whether he would not rather have his character subjected to the tribunal he described, than to the tribunal recommended by the noble lord, and as he answered for himself, he called upon him to answer for the queen. The one was a gross, glaring, and injurious mode of proceeding, the other was constitutional, not subject to a single item of those evils, and with all the advantages that could possibly be expected.

With respect to precedents on the subject, he confessed himself astonished at what had fallen from the noble lord. The appointment of secret committees to consider of the expediency of treasonable and seditious bills, was too familiar to the House. He was certainly not favourable to them. But there was all the difference imaginable between the question of referring papers relative to a new law against sedition to a select committee, and the question of referring to such a committee papers relative to the life, and that which was much dearer to her, the honour of the first subject of the realm. As to the precedents of bishop Atterbury and sir Thomas Rumbold, they were totally irrelevant to the present subject. The charge against sir Thomas Rumbold certainly arose in a secret committee; but it arose incidentally. It was in a committee on East India affairs and accounts, that the ground of charge against sir Thomas Rumbold was incidentally discovered, and that was followed by examinations at the bar of the House. In that case, however, the secret committee did not proceed on papers. It called witnesses, and gave to the accused the opportunity of confronting them. In the case of bishop Atterbury, a select committee was appointed to examine witnesses as well as papers; nay, he doubted whether any paper was submitted to the examination of the committee, but that letter of which Swift had said so much. In the present instance, it was proposed to enter on an investigation without putting her majesty in possession of the charges against her, without the examination of witnesses, and without the presence of her professional advisers. Certainly he and his honourable friend and colleague tendered their grateful thanks to the noble lord for sparing them the mortification, the greatest that professional men could suffer, of seeing the forms of justice preserved, while the substance of it was wholly abandoned. He had omitted to state, while alluding to the case of bishop Atterbury, that that prelate had an opportunity of defending himself in the other House of Parliament against the bill of pains and penalties which was ultimately passed against him.

He now came to the negotiation, if he might so call it, which had been made but too public. The noble lord seemed hastily to have supposed that it had been charged against government as unjustifiable on their part to have made the original proposition to the queen, when parliament alone could warrant the grant; and had defended that proposition on the ground that government were as much justified in making it as in proposing subsidies to foreign powers in time of war. That was not the ground on which he would then discuss the subject. He was aware that the offer might be considered in the same way as if it had been made to any foreign power, when it was usual for ministers, in the first instance, to enter into the engagement, and afterwards to come to parliament to carry it into effect. Nor would he discuss whether or not the proposition was a bribe. But a most offensive proposition it unquestionably was. What could be more offensive than to offer to her majesty an income of 50,000*l.* not only on the condition that she should live out of the country (though even that condition was highly exceptionable, as it respected her majesty, and still more so as it regarded the House of Commons, as it would have borne the appearance of an unworthy compromise, if it had been formally reduced to writing, and had been made the ground of a legislative grant), but on another condition infinitely worse? Notwithstanding all the refinements, and (he must call it) the special pleading of the noble lord, between a renunciation of her majesty's rights and a renunciation of her majesty's titles, and with all the attention which the unfeigned respect which he entertained for the candid conduct of the noble lord in this affair inspired, he remained of opinion that the proposition made to the queen was nothing more nor less than to ask her to say, "Give me 50,000*l.* a year, and I will plead guilty." If not asked to plead guilty, she was at least asked to allow that she was not innocent. The noble lord maintained that her majesty could not have been called upon by government to renounce her legal rights, because it was not in her power to renounce them without the consent of parliament. Strictly and technically speaking that was true. Her majesty must, in point of law and fact have remained queen even after the arrangement compelling her to live abroad. But what was her majesty called upon to renounce? She was called upon to give up the exercise of her rights. She was called upon to abstain from the appointment of officers—of a lord chamberlain, or of a steward of the household. If her majesty had entered into a bargain, binding herself to abstain from the exercise of her rights, would it not have been a distinct admission that there was something awkward about her—something, to say the least of it, that would not bear the light. In the letter which had prematurely appeared, containing the proposition to her majesty, she was required to renounce the style and title of the queen of England. The noble lord had endeavoured to soften this down by stating, that it was the usage of any illustrious person travelling on the continent, to travel *incognito*. The noble lord, who was at the head of that department of the state which regulated matters of etiquette of this description, of course was much better acquainted with these subjects than he (Mr. Brougham) was. His understanding certainly was, that when a prince travelled abroad, although for temporary convenience, he took another title, it was always a royal title, and a title belonging to some of his own family. But it was an express condition proposed to her majesty, not only that she should lay down her own title, but that she should not assume any other title belonging to her family. What was that but to require her to admit that she was unworthy to bear any title belonging to her family? How wide was the difference between the case of one person voluntarily abstaining during a season and for convenience, to use the title belonging to her, and the case of another who, for an allowance of 50,000*l.*, bound herself neither to exercise any of her rights, nor to bear her own name, or that of any of her family! This was the great ground of the objection which her majesty felt to the proposition that had been made to her. On that ground, he (Mr. Brougham), although impressed with a due sense of the high importance of coming to some amicable arrangement, which might preclude the necessity of entering into that fearful investigation, the present commencement of which was so deeply to be lamented, at once advised her majesty not to assent to the proposition.

Something had been said of the inaccuracy of the correspondence and other circumstances which had been published relative to this painful affair. He might, perhaps, be permitted to say, in his own justification, that it was difficult to conceive any thing more incorrect than the account which had been published of the part that he had taken in these proceedings. Of these misrepresentations he would mention only one specimen. It was stated in the public prints, that after her majesty had expressed great indignation at the proposal made to her, he had advised her to reject it. Now the word "after" ought to be erased, and the word "before" inserted in its stead; for, in point of fact, as her majesty had last night condescended to admit, in the presence of his hon. and learned friend and colleague, in answer to a question which he had ventured to put to her on the subject, he (Mr. Brougham) offered his opinion to her majesty before she had an opportunity, however anxious to do so, of expressing her displeasure. This was no unimportant matter, for in another publication of the present day, an argument was built on the unwarrantable liberty that had been taken with a noble lord's (Hutchinson) letter, and on the error in the statement of his (Mr. Brougham's) conduct. That publication (the Morning Post) built upon that foundation the argument that he must have been positive the queen's case was not good, or that he never would have advised her to accept of such a proposition! As he was on the subject, he would just add, that he had never asserted that the noble lord's letter was garbled in the publication. What he had said was, that the correspondence was garbled; for only the letter of the noble lord was published, but his (Mr. Brougham's) answer was, for some extraordinary reason or other (of which he knew nothing), withheld from the public. The conclusion to which the print he had alluded to had come, was certainly injurious to him professionally; but it was much more injurious to her majesty, whose culpability was made the inference from the fabricated statement, that he (Mr. Brougham) had advised her to accept the proposal which had been made to her. That proposal he never did or could advise her to accept. He had instantly counselled the rejection of the proposition, though he had done so with pain, because he saw that in all probability it would put an end to any arrangement.

He wished to make one or two farther observations on this part of the case. He had already stated the unfeigned concern he felt at the breaking off of the treaty; and, he might add (it was indeed but candid that he should do so) that if other propositions had been made to her majesty, which did not wear the appearance of an acknowledgment of guilt—which, as a woman of honour, and of unimpeached character and conduct, she might safely accept—which would not have been discreditable to a government to offer, and to which in justice the queen might have yielded—he would have been the first to have given his humble advice that her majesty should rather go a step too far than not go far enough to lend herself to an honourable but a private and amicable adjustment. His reason was this—that from the beginning to the end of these distressing transactions it had been his most fervent wish, and upon that principle his conduct had been built, that if it were possible for her majesty, consistently with her innocence, her honour, and her safety, to submit to a private compromise rather than provoke a public discussion, she should give her consent. In this question the interest of the royal family was most deeply concerned, and the interests of the constitution were implicated in proportion; the peace, the tranquillity, the very morals of the nation, were involved. They were on the brink of a precipice, or rather they were not yet quite so near the edge as to afford a clear view of all its dangers; and if those who counselled the Crown did not know, they ought to know, that when once the line was passed, retreat was impossible, and discussion inevitable. Those who recollected what took place on a former occasion would bear in mind the nature of the inquiry then entered into, and from that they might judge to what that now proposed would extend. Not merely was the queen's character at stake—not merely must the treatment she had received in this or that instance be investigated—not merely must the inquiry extend to this or that illustrious House with which she was connected—but all the private history of all those exalted individuals to whom she was related might be forced into the conflict. He did not say that they must do this, but that it was probable all these matters might be forced under the public eye. Let them look, as he had already suggested, to what had taken place eleven years ago. On that occasion public business was suspended,—every feeling on any other topic was annihilated,—the political gossip and scandal of the day became stale,—party spirit ceased, and even political rancour no longer existed,—the general conversation of the year being the private life, habits, and failings, of one of the noblest personages in the realm. He must be a more sagacious man than he had hitherto had the fortune to meet, who, in the present stage of the business, at no great distance perhaps from the commencement of the inquiry, could pretend to describe the course it would take; but he must be a man indeed of miraculous sagacity (he did not think that even the noble lord was that man, and, if not he, certainly there could be no other) who would take upon himself to say what conflicting interests, without yielding to popular feeling or clamour, not desirous to gratify the greedy appetite of mobs, but holding them bad in themselves, and more dangerous in their embrace than in their enmity (like some rabid animals, whose saliva was more dreadful than their bite), might ultimately produce. Who could assert what course men bound by professional ties to regard nothing but the safety of their client (he referred not to members of this House, and therefore had no allusion to himself or to his learned colleague) might think it necessary to recommend? Others must be trusted—their royal client must rely upon the skill, the knowledge, and the prudence of others; and, who should decide that absolute necessity might not compel those individuals to advise a proceeding, of which some idea might be formed by those who had marked what had passed in this country eleven years ago? He, then, must be a sagacious man who could assert what course necessity might compel; and he must be a bold man who would say, that if he were in the situation of a professional adviser of the queen, he would hesitate for one moment in securing his client, even at such a desperate expense. An advocate, be it remembered, had but one point to look to; he was ruined, disgraced, degraded—he might even render himself fit to belong to a Milan tribunal, if he looked to any other interest than that to which his character was pledged.

He had said, that he must be a bold man who would pretend to point out the issue or probable duration of the proposed inquiry; but he must be a bolder man still who would rashly plunge this country into a state of irritation and confusion, while there remained a possibility of adjusting matters in a private and amicable manner. [Continued cheers from the Opposition benches.] For God's sake—for the sake of the country—for the sake of those whose memories might mislead them, whose confidence might betray, or whose blindness might beguile them—for the sake of the wives and daughters of all who loved decency, morality, and who recollected when, but a few years since, the opening of a newspaper was regarded with fear and disgust by the father of every modest and well-conducted family—he called upon the House to pause—only to pause, to ascertain if it were yet possible to escape from this threatened calamity. If the means of avoiding it were yet afforded, he put it to honourable members, as they valued every thing that was dear to them—as they valued the character of England as a nation—whether they would not hesitate before they opened a subject disgusting in itself, and most destructive in its consequences. Let it not be forgotten that there were three parties who had a deep interest in this discussion. First, the king, who was most desirous that the inquiry should proceed—who felt that he had nothing to dread from disclosures, and who was unfortunately impressed with the idea that in his high office it was necessary for his vindication that something should be undertaken. Next, the queen, who acted nearly, if not entirely, in the same spirit—who thought it requisite for her own security, for the clearing of her own honour, that the inquiry should be persisted in to the end; who shrunk not from it, but courted it; who was prepared to meet it; who had come from safety into—he would not say jeopardy, because the innocent could know no jeopardy but—trouble, vexation, and anxiety, in order to go through the whole of this painful, and, in his view, odious and frightful investigation. Both of these high parties would instantly reject the advice he was now tendering; but there was a third party, whose wishes he hoped the House would not consult—he alluded to those persons out of doors, who were possessed of a greedy and diseased appetite for detraction; and who only gave up their chase of vulgar private scandal on some such emergency as the present, where the allurement was increased by its affecting the most exalted individuals in the land. Those who laboured under the infliction of such a morbid desire, and those who basely made a profit by pandering for its gratification, had a direct interest in urging forward the inquiry, and most bitterly would they be disappointed if it did not proceed. They formed a powerful body; but he was not their representative; and if he had the honour of being a servant of her majesty, he had also the higher honour of being a member of that House. As her majesty's servant he would not disobey her commands, and where her honour was at stake he would do his utmost to defend it; but in the humble performance of his duty in that House he felt called upon even to thwart her majesty's inclination, and he would tell her, "Madam, if negotiation yet be possible, rather go too far, and throw yourself upon your country and upon parliament for your vindication, than not go far enough; if yet it be possible to avert the ruin which this course, if persisted in, will bring upon the nation, do your utmost to postpone the calamity." If he might advise those who stood in a similar situation with regard to the king, he would say to them, "Act like honest men, and disregard all consequences—tender that counsel to your sovereign which the case demands, and do not fear that parliament will abandon you, or the country desert you; even party will not disgrace itself to the lowest level to which corrupt and unprincipled factionists can descend, by taking advantage of your faithful and fearless discharge of a noble and disinterested duty. Do not apprehend that even political calamity will attend you; for if successors must be appointed to your places, be sure that they will not be found within these walls."

Before he adverted to the latter and not unimportant part of the speech of the noble lord, he wished to say a few words to remove an expectation perhaps entertained by some gentlemen in perfect ignorance of the subject, that now the subject had been commenced, it would be easier and shorter to go through with it; and that a few days might put an end to it. Such persons seemed to forget the mass of garbled evidence on the table—the assertions of persons who would state any thing for any side (and he (Mr. Brougham) was ready to stake his head that he could convict any man of any offence, if such testimony were believed)—they seemed to forget, that after the conclusion of the labours of the committee on the green bag of the king, one must be offered to the same members on the part of the queen. The late Mr. Whitbread and himself were the only persons who had seen the whole of the documents which the green bag formerly contained, and of late they had been much increased. Time must be then given to the advisers of her majesty; and if the committee finally reported that some further proceeding was necessary; even if, like the former committee, it determined that nothing more was required, but to cast some stain upon her majesty's character, whether by implication or otherwise, the queen must insist upon a further and complete investigation. Where, then, was the prophetic individual to be found who could decide when the inquiry would be concluded? At present the queen, being unacquainted with the charges against her, was unprovided with witnesses, but they must be obtained, and obtained by sending to Italy professional persons. The Milan board sat for ten months to fill the green bag for the accusation, but he did not say that ten months or ten weeks would be required to blow the report of that board into the air. Not speaking, however, as a professional man, but upon his honour as a member of parliament, he would assert that it would be necessary to examine evidence as to the life, character, and conduct of the accusatory witnesses. One of them, he knew, had committed a felony, and had been therefore discharged by the queen from her service; and the evidence to prove it was a peasant, who having since gone into the interior of the country, must be followed and found. Other cases of connexion between the witnesses could be and must be established. To do this time must be given for selection. It could not be expected that the queen's advisers could import witnesses by coach loads, that they could throw a drag-net over the country, and bring off all persons who were caught. This preliminary operation of itself must occupy some weeks, if not months. He, therefore, who thought that even six or eight months would complete this great subject, was most egregiously deceived; but if it were only four months, his prayer and entreaty to the House was, that it would spare the country from the suffering that such a summer and such an autumn would inflict.

He now arrived at the latter part of the speech of the noble lord, in which he adverted to the mode in which her majesty had been treated at home and abroad. The noble lord had termed her the queen, not of right, but of grace and favour; but he asked, whether refusing the attendance and accommodation befitting her rank was not, in fact, casting a stigma upon her? The noble lord, adverting to the omission of her majesty's name in the Liturgy, argued that her majesty had no abstract right to have her name inserted in the Liturgy, that it was a matter of option with the king. He admitted that, according to the act of Uniformity, the strict right was against her majesty; and this formed one of the chief grounds of complaint. The queen might have no legal right to be prayed for; but after the insertion of her majesty's name in the Liturgy for 17 years, as princess of Wales, to omit it as queen was something at least equivocal—was something to give a warrant to the tongue of slander to assail her [Here several members leaving the House occasioned some disturbance]. He was very ready to wait until those impartial gentlemen, who having listened to the noble lord's speech of accusation, were satisfied without hearing the defence, had quitted the floor. The next objection he had to urge regarded the conduct of foreign ministers towards her majesty. It was said that as she had lived separate from the king at home, she could not be publicly recognized abroad; but he intreated the House to mark the gross inconsistency of ministers in this respect. When unhappily the disturbances which separated their present majesties occurred, the language of ministers was, "Madam, it is far better for you to live abroad, because while at home you cannot receive the honours due to your station; you cannot live in the king's household, nor can you go to the drawing-rooms, on account of the unfortunate prevailing differences. Abroad, the same difficulties do not stand in your way; abroad you will find no obstacle to your reception, and to the enjoyment of your full dignity and honours; and you will not be excluded from court and from all the rights of royalty." When, however, her majesty repaired to foreign countries, as advised, the tone was entirely changed. "Oh," cried they, "her majesty cannot be received at foreign courts, or by foreign ministers, because if at home she would not be received at court." He put it to all who heard him, whether a greater logical absurdity was ever attempted to be palmed upon reasonable men. Was it a light matter for the queen of England to be slighted and looked down upon in every court of Europe? The noble lord had stated, that our ministers abroad were instructed not to receive her majesty as queen, or introduce her to court, but to lavish upon her all other civilities. And what were they? She might have passports, forsooth, when she left any of their towns; that was the civility they were by far the most ready to grant. She was also allowed letters of safe conduct, clearances, and bills of health; post-horses might even be ordered for her, with the high additional accommodation of a ministerial courier, though if such were the instructions of the noble lord, it did not appear that they had been obeyed. Yet, after all, to what did these boasted civilities amount—civilities to the queen of England—queen whether they would or not—nay, queen whether she herself would or not? Civilities, which every merchant, trader, dealer, and chapman, or even gentleman's servant could obtain, were to be lavished upon her, while every tittle of respect due to her elevated station was to be rigorously withheld! And could they wonder that any person, but more especially a woman, and still more especially this woman, born a princess, niece to Frederick of Prussia, niece to George 3rd, daughter to the heroic duke of Brunswick, and consort to his present majesty, the first sovereign in Europe; could they wonder that this exalted female should feel acutely when the ministers of her own country ventured to treat her with such indignity? He would say, not only the ministers of her own country, but foreign ministers also. Her majesty complained that those courts which were most under the influence of the English government, treated her with the greatest disrespect. Without hunting through the conduct adopted by different courts, he would go at once to the proceedings of the Hanoverian minister, the minister of a court most likely to be swayed by the government of England. He would mention only two instances, by which the House would be enabled to judge of the treatment her majesty had received abroad. The Hanoverian minister, baron Ompteda, who had been most graciously and hospitably received by the queen, when she was princess of Wales—who had insinuated himself into her confidence, who had partaken largely of her liberality, who had passed several months at a time under her roof—this man (not indeed the envoy of Hanover to this country, but to the holy see) was discovered, not merely spying into her actions, bribing strangers to watch her, and even bribing her own servants, but it was found out that he employed a smith to pick the locks of her writing desk, in order to examine any papers that might be in her possession. Unluckily for him, that which he found proved that he had been on a false scent, and demonstrated the innocence, instead of the guilt, of the illustrious personage. A young naval officer, to whom the transaction became known, felt incensed and indignant at such a base attempt. He (Mr. Brougham) did not wonder that this young gentleman's passions should be excited, that he should feel warmly and forcibly, when such a proceeding was pursued towards his mistress and benefactress. Actuated by such feelings, he demanded personal satisfaction, the baron being at the time without the bounds of his mission. The baron immediately made a movement—a backward movement—to the city of Milan, where he was vainly sought for in his fastnesses. Finding himself thus menaced, the baron retreated to the mountains, where a sort of mountain warfare was carried on against him by the gallant lieutenant, but without success; and, at length, the baron was expelled from the Austrian territories, not, be it observed, for having acted as a spy upon the queen, not for the crime of having forced her majesty's private papers; but for having refused to fight a duel when openly called upon. He was obliged to decamp, and another minister succeeded him in his official capacity. This he adduced as a proof of the consequences that were occasioned by the ministers of this country treating her majesty in a slighting and disrespectful manner. It evidently produced a feeling in the minds of the ministers of other states to treat her in the same way. Men might be found, truckling to the higher powers, who, in the hope of establishing their fortune, would descend to such vile contrivances; but baron Ompteda must necessarily have been influenced by a base spirit, when he engaged in so abominable a transaction; because he would distinctly state, in order to avoid misrepresentation, as those things were sometimes talked of out of doors, that he entirely acquitted those who had sent baron Ompteda on his mission to the holy see—he entirely acquitted the ministers of the Hanoverian government of having given him any instructions to conduct himself in this disgraceful affair as he had done. He felt convinced that the then Hanoverian minister, who was now in England, would be the last man in the world to descend to such acts of meanness, or indeed to do any thing which was not purely and strictly honourable; the fault lay with the person employed, who thought he could not render better service to his employers than by thus degrading himself. He was much mistaken, for he (Mr. Brougham) was persuaded that no man could feel greater disgust at such conduct than the minister to whom he had last alluded. Baron Reding was now the Hanoverian minister at Rome, and his conduct towards her majesty was also worthy of remark. And here he could not help noticing the close connection between the archbishop of Canterbury and the Holy See. The moment it was notified to the chief of the consistory at Rome, that her majesty's name was not inserted in the Liturgy, the body-guard which had previously been allowed to her was immediately withdrawn; but that was not all—the heads of the government affected not to know the queen of England. They pretended that she came concealed as the countess of Oldi, as she had before done; and because she was not acknowledged by her own government, because slight and disrespect were offered to her by the ministers of her own country, the Roman court thought themselves justified in doing the same. But baron Reding, the Hanoverian minister, went a great deal farther. He would not call her by the title of "Queen," he would not call her by the title of "Princess of Wales," but he sometimes called her "Caroline of Brunswick," in so many words, without the epithet of "Princess," which she certainly was entitled to before her marriage; and at other times he called her by a different name—a name of which the House had never heard, "Caroline of England"—a designation that had never at any period of her life belonged to her. This he mentioned incidentally, to show how far insolence and absurdity might be carried. Every Englishman who entered his excellency's society must have heard him talk in this manner of the consort of his own sovereign, who, he was persuaded had too much the feelings of a gentleman, of a prince, andof a man of honour, to allow any individual to insinuate himself into his favour by treating a female, and that female his wife, rudely and disrespectfully.

He had thus stated the whole sum and substance of this important question. Her majesty had commanded him to call for a full, fair, open investigation. The speedier the beginning of it was, the more completely would she be gratified—the more ample it was, the more decided would be her satisfaction. But, that it would be a short investigation, he, who knew the course of such proceedings, felt it to be impossible. Therefore, no time was to be lost: for, if the investigation went on, parliament might expect to sit to no ordinary period of the year. But in calling for inquiry, her majesty protested strenuously and decidedly against a secret inquiry; whether the body by whom her case was to be considered was designated a grand jury, a secret committee, a select committee, a private tribunal, or an inquisition. Her majesty required, that the body called on to pronounce an opinion on her conduct, whether intermediate or ultimate, should enable her to hear the evidence, to see the witnesses adduced against her, and to confront them by every means within her reach and power. He, as a member of parliament, in the discharge of his duty to this House and to the country, implored gentlemen, once more, to take into their serious consideration all the circumstances he now finally laid before them. His last prayer to the House on this occasion—the last wish he would breathe on the subject was, that the negotiation, which, unfortunately, had not been brought to a favourable issue, might not be broken off all at once and for ever! but, if it were possible, that the country should be spared those calamities to which such an inquiry must give rise. He implored the House to consider how far more virtuous an act they would do, by avoiding such an investigation, rather than by showing their constancy and perseverance in steering, however successfully, through these accumulated difficulties [Hear!].

Let the House recollect that prevention was better than cure. He besought them to consider how much better it would be to spare the country the calamity which this inquiry would produce; how much more virtuous it would be to steer clear of the threatened evil by a private and conciliatory arrangement, than at once to plunge into investigation, and to even show their constancy and perseverance by steering successfully through accumulated difficulties, the result of which, when once the line was passed, no man could contemplate without well-grounded apprehension of danger.

Mr. *Canning* declared, that as he had never risen to deliver his sentiments on a subject of so much delicacy and interest as that before the House, so had he never before been called upon to discharge a duty to himself so painful and embarrassing. The occasion out of which the necessity for performing this duty arose, and the circumstances connected with it, were of a nature as novel as they were delicate. He had listened with the greatest attention to the speech of the hon. and learned gentleman who had just sat down. In every syllable uttered by the hon. and learned gentleman respecting the mischief likely to result from the inquiry into which they were now unhappily forced, he entirely concurred. It was utterly impossible that such an inquiry should turn to the advantage of the country, or of the parties whom it immediately concerned. The dearest interests of the country, and the character of the most illustrious personages whom it contained were undoubtedly involved in the proceeding. But having said this, he must follow it by saying that from all that part of the hon. and learned gentleman's speech which went to impute to his majesty's ministers the responsibility of forcing on this inquiry, he utterly and wholly dissented. In taking up the challenge which the hon. and learned gentleman had thrown down on this subject last night, he was fully prepared to show not only that his majesty's ministers did not voluntarily come down to parliament to originate this inquiry as matter of choice, not only that they had not sought the occasion for it—not only that they had deprecated it with all their hearts—but, that they had interposed every possible expedient to prevent the occurrence of a calamity which they were anxious with all their power and all their means to avert.

The hon. and learned gentleman would allow him to oppose, not hostilely, but in contrast with those professional feelings which the hon. and learned gentleman had so much to his honour assumed to himself, feelings on his own part, of as deep and forcible a nature, with reference to those illustrious persons who were most immediately interested in the proposed inquiry. He must declare, individually for himself, that in all the discussions which had preceded the unfortunate crisis to which matters had at length unhappily arrived, he had looked at the whole case with as much solicitude, and as much pain, as if it had arisen from a difference between his dearest friends, and between parties with both of whom he was himself equally connected. On the one hand, to the sovereign whom he served he owed the duty of a subject and of a councillor; on the other hand, to the illustrious personage who was the remaining party to the discussion, he owed, and he paid, not only that public respect which was due to her station, but from private feelings and the remembrance of kindnesses experienced in former times, gratitude and (if he might presume to use such a word in speaking of so high a personage,) affection. The wish nearest his heart had been that this extremity could have been avoided;—his next wish was that which must be the wish alike of all the country, that her majesty might come out of the inquiry with honour to herself, and satisfaction to her friends.

He would now proceed to make good the declaration with which he had set out —namely, that his majesty's ministers had not sought this crisis, but on the contrary that they had done every thing in their power to avert it. Before his majesty's ministers were charged with pressing this question, let the House do them the justice to remember how often, at an early period of the session, they had borne the taunts of the right hon. gentleman opposite (Mr. Tierney), who, not once only, but on every occasion that he could find, pressed the name of the queen, her situation, her allowances, and the reports which prevailed respecting her on the attention of the House, and called upon ministers for an explanation of their intentions respecting her majesty. He did not mean to say that those taunts had been thrown out, or those calls made upon ministers unfairly. The right hon. gentleman might say, if he pleased, that he was only discharging his duty as a member of parliament when he declared that no parliamentary provision should, with his consent, be made for the queen, until her character was cleared, not from accusation (for there was none), but from common report; but he was sure the House would recollect how often, how steadily, how perseveringly his majesty's ministers had borne the right hon. gentleman's provocations to come to a definitive declaration with regard to the queen; how often they had turned a deaf ear to the right hon. gentleman's ingenious dilemma—(that figure which, however captivating and effective in rhetoric, was so frequently found to be, with reference to human affairs, most fallacious) "Either the queen is innocent, and then she ought to enjoy all her rights and privileges, or she is guilty, and in that case I, for one, will not consent to vote her one shilling of the public money." How often had this argument been forced by the right hon. gentleman on the unwilling attention of his majesty's ministers; how often had they been told by the same right hon. gentleman that any attempt at compromise would be an insult to the king, or an injury to the queen (another awful and inevitable dilemma!); and yet how obstinately had they, in spite of this dilemma, refused to enter into the so much invited discussion! And whence arose this obstinacy? whence but from an earnest desire, a strong and sincere hope, that the existing differences might be accommodated so as to avoid the necessity of discussion? After this, it was surely a little too much to be told by those who sat at the elbow of the right hon. gentleman, that they (the ministers) were the provokers of inquiry; and that but for them all might have passed smoothly and silently, without public notice, or parliamentary observation! He begged the hon. and learned gentleman not to mistake him. He did not mean to say that he (the hon. and learned gentleman) had been any party to those taunts and challenges of his right hon. friend. The hon. and learned gentleman, on the contrary, had always been a most anxious friend to compromise, and had laboured for the prevention of that public inquiry which the right hon. gentleman deemed so indispensable. When the right hon. gentleman had so repeatedly told the House that inquiry could not be avoided; for that rumours were abroad so injurious to the honour of the queen, that without prior investigation, no money could be voted without a sacrifice of the interests of the people, and the dignity of parliament. The hon. and learned gentleman had undoubtedly taken part against the right hon. gentleman, and with the hon. and learned gentleman, therefore, on that point, he (Mr. C.) had no fault to find; but he had a right to find fault with him for the injustice of which he had been guilty that night in heaping upon the ministers of the Crown those charges of prurient curiosity, and inconsiderate disclosure, the guilt of which, so far as provocation and intention went, belonged (as he well knew) not to him, but to the right hon. gentleman. The hon. and learned gentleman thought, and ministers most cordially coincided with him in thinking, that if it had not been forced upon them by a paramount necessity, it would have been most desirable to avoid all discussion of the subject now unhappily under the consideration of the House. The hon. and learned gentleman well knew—no man had better reasons for knowing than he—that it was the policy of the government, even if it had not been their feeling,—but that it was their feeling as well as their policy to—consult the public good, by shunning, not only all public inquiry, but all public discussion on this subject. He knew (no man better) that it was their absolute determination to avoid it. He knew (not a member of the government knew so well as he) that they had eagerly caught at every expedient, at every chance, of averting the calamity which was now fallen upon them and the country. He knew that the acceptance of his services, that the opening of the negotiation which he was commissioned to conduct, had that sole object in view, and that for the accomplishment of that object, which they relied on his exertions to accomplish, they felt as strong an anxiety as himself. But then the hon. and learned gentleman accused his majesty's ministers of having contributed to the defeat of that negotiation by having made an offer so revolting to her majesty's mind, and including in it propositions so incompatible with her feelings that he could not for a moment think of advising her majesty to accept it; and the hon. and learned gentleman had also told the House, or rather had insinuated (he wished the hon. and learned gentleman had spoken more distinctly) that he could have proposed certain modifications which he thought might have made the offer acceptable. Why, in the name of God, did not the hon. and learned gentleman suggest them? Why, instead of the premature and garbled statement which had found its way to the public, were not these modifications brought forward? He wished the hon. and learned gentleman was now present [Mr. Brougham had left the House a few minutes before] for it was desirable, in stating facts to state them in the presence of the party interested in them; but, as the hon. and learned gentleman was not in his place, he (Mr. Canning) would for the present address himself to another part of the subject until the hon. and learned gentleman's return.

He understood from what had been related to him of the proceedings in the House last night (when he happened not to be in his place) that other hon. gentlemen had advanced an accusation against his majesty's ministers, which, to do the hon. and learned gentleman justice, he had just now contributed in a considerable degree to answer. It had been urged that the pecuniary offer which had been made to her majesty contained in it something very censurable. On this point, too, recourse had been had to the favourite but fallacious form of a dilemma. "Either," it was said, "her majesty is innocent, and has a right to all the state, and privileges, and establishments of a queen consort, or she is guilty, and then 50,000*l*. a year of the public money would have been thrown away upon her." And this prodigality, it was further added, was to be carried into effect without the previous consent, and consequently in defiance of the authority of parliament. This, however, was quite a false view of the question. He contended, in the first place, that the offer did not trench upon the rights of parliament; for the executive government only made this, as they must make every proposition for a grant of public money, as that which they were willing to recommend to the House of Commons, but subject to the approval, and of course invalid without the sanction of parliament. Every treaty of subsidy, every contract for a loan was made upon precisely the same principles.

But further, he undertook to show that if any thing at all was to be granted to the queen, whether at home or abroad, the sum of 50,000*l*. a year was the precise sum which there was every reason to believe parliament could not but approve. For a queen in full possession of her state they might do more; but for a queen in a state of separation they could not do less. In this respect ministers had no insufficient indications of the sense of parliament to guide them. For, first, by the treaty concluded on the marriage of his majesty, when prince of Wales, with the queen, a jointure of 50,000*l*. a year, was settled on her majesty as princess of

Wales, in the event of her surviving her royal husband. It was true that the precise case contemplated in that provision had not occurred; but in equity it must be allowed that his majesty's ministers in proposing a provision for the queen in a state of permanent separation could not go below that sum which four and twenty years ago had been considered a proper provision for her majesty in the event of her becoming the widow of the prince of Wales. Secondly, in the year 1814, when, after long discussion in that House the princess of Wales's income was settled, preparatory to her leaving the country, what was the amount proposed at that period? The House, recognizing the former settlement, and thinking the amount of jointure that had been stipulated for, the proper sum for a state in some degree analogous to that of widowhood, agreed to vote her Royal Highness the sum of 50,000*l.* a year. It was true that her Royal Highness, acting under the advice of those who at that time conducted her affairs, declined receiving so large an income and voluntarily diminished it by 15,000*l.*; but surely it could not be imagined that his majesty's ministers, in fixing a provision for her majesty's life, would have acted right if they had taken advantage of her voluntary generosity on that occasion, and limited their proposal to the diminished sum. His majesty's ministers, therefore, had offered to the queen that which parliament had in two preceding instances recognized as a sum not too large for her allowance—they had offered a sum, from which, on a former occasion, near one-third part had been abated by her majesty's own act, and which therefore would not be supposed inadequate to her majesty's wants and wishes. It was that, therefore, which they had every reason to believe that the queen would accept, and every reason to believe that parliament would sanction with their approbation.

But then it was charged that this offer was coupled with conditions which rendered it unlikely to be accepted. These conditions, it had been stated, were—first, that her majesty should not reside in England; secondly, that she should relinquish the title of queen. Both those conditions had undoubtedly been stated to her majesty—but the latter not exactly in the way in which it had been represented to the House. The remaining abroad was clearly taken for granted; and it was so in pursuance of the policy that originally led her majesty to take the decisive step of quitting the country, in the year 1814. He remembered well the part which the right hon. gentleman opposite (Mr. Tierney) had taken in the discussion of that time. The bill brought in in 1814 originally went to settle an annuity of 50,000*l.* on the princess of Wales, in a state of recognized and permanent separation from her husband. That provision was proposed to be extended to the term of her Royal Highness's natural life. The proposition was represented by those who brought it forward, and accepted on the part of those who were the champions of the princess's of Wales's interests as the conclusion and winding up of the affairs of the princess of Wales, which were not to be heard of in parliament again. But after the bill had been brought into the House, it underwent two most important alterations. In the first place, as he had already remarked, her Royal Highness had expressed a wish that the provision proposed by his majesty's government should be reduced from 50,000*l.* to 35,000*l.*; in the second place, the right hon. gentleman opposite (Mr. Tierney) suggested an alteration in the duration settlement, which was originally for the life of her Royal Highness, by which it was limited to the life of the late king. Unfortunate amendments as it turned out, particularly the latter, to which, and to which almost entirely was owing the necessity of now discussing the pecuniary affairs of her majesty, and therewith the whole of her situation! Had it not been for that alteration the pecuniary affairs of her majesty would have been settled, not merely during her continuing Princess of Wales, but during her life! There would then have been no unavoidable necessity for bringing her majesty's name before the House of Commons. And had it been matter of choice on the part of his majesty's ministers, then indeed would they have rendered themselves liable to some part of the imputations so lavishly thrown against them. But it was the right hon. gentleman's (Mr. Tierney's) unfortunate amendment of 1814, which (not designedly he was willing to believe) had laid the ground of that urgent and unavoidable necessity, to which, and to which alone (he would repeat) they were indebted for the present discussion. When her majesty ceased to be Princess of Wales, she ceased, by the right hon. gentleman's amendment, to have any provision whatever. It became necessary that a provision should be made for her; and the same right hon. gentleman had never lost an opportunity of telling them, that in making that provision, her whole situation must be revised. No consideration would have induced his majesty's ministers to moot that question so long as it was not absolutely unavoidable; but they knew that they were no longer masters of their own conduct when it became necessary to enter into a discussion of the pecuniary subject. It would then have been in the power of any member of the House to force on the whole subject; and they had ample warning from the right hon. gentleman, that it was his determination to do so. So far were they (the ministers) from precipitating such a discussion, that their whole endeavour was, to avoid it. In the event of an amicable termination of the negotiations which had been opened with her majesty, they would have done their best to resist the right hon. gentleman's endeavours to force the subject into discussion, and he trusted they should have resisted with success. But alas! their endeavours had been frustrated; they had been forced by circumstances which they could not control, to bring the whole case into open discussion themselves; and he did not hesitate to say that this result was a disappointment as unexpected and as severe, as ever dashed the cup of hope from the lips of sanguine expectation.

As the hon. and learned gentleman had returned to his place [Mr. Brougham had re-entered the House], he would now resume the argument which, as it personally affected that hon. and learned gentleman, he had broken off when he noticed his absence. The hon. and learned gentleman had declared it to be his opinion, that the terms which had been offered to the queen by his majesty's government, were such as her majesty could not possibly accept. He would do the hon. and learned gentleman the justice to express his belief that he went to the management of the negotiation in question, with as sincere a desire to bring it to an amicable conclusion, as influenced those by whom it was originated. He wished to set out with this acknowledgment, the rather because that which he had further to say on the subject was of a different complexion. What he complained of in the conduct of the hon. and learned gentleman was this—that if the hon. and learned gentleman saw in the terms proposed by his majesty's government, any thing so objectionable as to make it clear at the first blush that they could not be accepted, it was a pity that he did not point it out before he left England; and the more so, as it appeared from the hon. and learned gentleman's own avowal, that he did not wait for the expression of the queen's indignation, but at once anticipated it by the expression of his own. It was unfortunante, that of this indignant flame which broke out at St. Omer's, no spark had been previously visible in London. For his part, he had confidently believed, that the hon. and learned gentleman went to the continent not only (as he had already said) with a sincere desire to forward the negotiation, but with a reasonable hope of bringing it to a happy conclusion; and he never in his life was so much—not disappointed only but—surprised, as when, on coming to town on Monday, he had learnt that the negotiation had failed. The hon. and learned gentleman had acquitted his majesty's government of any blame in the pecuniary part of the offer. He had admitted that no disrespect had been shown to parliament; and that 50,000*l*. was the very sum that ought to have been proposed. But it seemed that the renunciation of the title of queen was that which could not be asked without offence; and the hon. and learned gentleman rejected the explanation of his noble friend with respect to the light in which that sacrifice was called for. In the memorandum which had been put into the hon. and learned gentleman's hand, as the basis of his communication to the queen (and there was no other basis or communication whatever intrusted to him or to any other person)—in that memorandum there was an explanation of the sense in which that condition was intended, which ought to have satisfied his mind, at least, of the absence of any disposition to rob her majesty of any of her substantive rights. There was not the slightest design to take any of them away. In the letter which had recently been published, the phrase that her majesty should *renounce* all claim to the title and dignity of the queen of England was undoubtedly to be found. In this there was a misconception; the real proposal was, that her majesty should use some other] name than that of queen of England. Gentlemen seemed disposed to confound the expressions; but they were widely different and distinct. Was it not a common practice with sovereigns, when absent from their own dominions, to assume an *incognito* and drop the style of monarchs? It had never been understood that the emperor of Russia, when travelling through Germany under the title of count—he recollected not what count—had renounced the title much less the rights of emperor. Nor would her majesty have been less essentially entitled to whatever may be her rights as queen consort, than she could have been to those of princess of Wales, if travelling under an assumed name. Indeed, as it had been stated by his noble friend, there were some rights which her majesty, as queen of England, could not renounce, without the consent of parliament. There were undoubtedly others from the exercise of which, under the plain and notorious circumstances of her situation—her absence from this country, and her separation from the king; it might be not only uninvidious, but highly proper to ask her majesty to forbear. Residing abroad, it could not, for instance, be expected, nor surely could it be desirable for her majesty that she should appoint chamberlains, officers, maids of honour, &c. at home. But, on the other hand, it never was in contemplation to strip her of any rights or privileges essential to her interest much more to her defence. The appointment of law officers was, for instance, studiously reserved to her: a proof of the jealous attention with which it was intended to avoid trenching on any of her majesty's material patronage. The whole purport in short of the proposed arrangement was that her majesty should retain the power of making every appointment necessary for a queen remaining abroad, and merely to induce her to abstain from the exercise of such part of her royal privileges as would be requisite only in the event of the sovereign's residence in this country. The hon. and learned gentleman had said that her majesty had been required not only to renounce her title of queen of England, but to abstain from using any name belonging to the royal family. Of such a stipulation, or of any thing that could in any way be construed into a hint of such a wish, he (Mr. C.) averred that he knew nothing. It might have been an inference drawn by the noble lord who accompanied the hon. and learned gentleman to the continent, from something that might have passed in conversation between them; but he could most confidently assure the House that no such restriction was ever in the contemplation of his majesty's government, and he was sure the hon. and learned gentleman would not find it in the memorandum to which he had before alluded, and which he repeated was the only authentic document of which the government had any knowledge. It and it only contained the propositions which they authorized to be submitted to her majesty.

In truth, his majesty's government were placed throughout this discussion in a situation of peculiar difficulty and delicacy, a situation out of which he did not know how they could fairly extricate themselves. They had been asked how it could enter into their minds to make such propositions as they had made to her majesty, and how they could suppose that those propositions would not be indignantly rejected?—He confessed that they had been guilty of one false step; which had led to the embarrassments that he had described. Early in these proceedings they had been induced to receive a communication under the seal of secrecy, the nature of which obligation prevented him from mentioning to the House, either the quarter whence it came, and the precise nature of its contents. But, when goaded by charges of wanton and unnecessary insult towards her majesty, he felt it necessary,—no breach of an obligation, in its very essence conditional—to declare that they had been led to make these propositions by a confident expectation that they would be well received. What would the House say, when they were told that so long ago as July 1819, a statement had been given to his majesty's government, in which every one of the propositions which had been made to her majesty had been suggested? What would they say when he fearlessly asserted that there was not one proposition made to her majesty, no, not one, that had not its prototype in that suggestion? What would they say upon hearing that this suggestion thus offered to his majesty's government, for the guidance of their conduct, proceeded from a quarter which, though he by no means intended to intimate that it in any degree committed the illustrious person in question, yet he must plainly say was one from which could not be expected to emanate any thing in the smallest degree disparaging to her majesty. If any one who had heard him, knew any thing of this paper, he appealed to that individual's own conscience for the perfect fairness with which his majesty's government had acted upon it. And from whatever quarter the communication to which he alluded had come, he affirmed upon his honour that his majesty's government had conscientiously understood that when they made the propositions which it suggested they would be fairly met, and not improbably would be accepted. He again guarded himself against being supposed to insinuate, that the illustrious personage to whom those propositions referred was in the remotest degree implicated in that communication, but the opinion of those who made it could not be mistaken; and upon their opinion the government thought, and had reason to think they might rely. When the negotiation failed, although he might very well understand the lively though (to say the truth) unexpected indignation of her majesty, he was utterly at a loss to understand the precedent indignation in any other quarter. The hon. and learned gentleman, for instance, went to the queen (he had already more than once admitted that he did so) anxious to bring the negotiation with her majesty to a satisfactory conclusion. He (Mr. Canning) was indeed, astonished when he heard that the negotiation had failed; but what he considered still more extraordinary were the surprise and indignation which had been expressed by the hon. and learned gentleman.

But, leaving all external considerations, and examining the question on its own merits, he would beg leave to ask what reason there had been to anticipate a failure? Why should it be concluded that a proposition requiring the queen to reside abroad must of necessity be rejected by her majesty? In 1814, when he was unconnected with the government, and when he had the honour to have frequent intercourse with the illustrious lady in question, she did him the honour to ask his advice, upon a project which she had then formed of going to reside on the continent. He had avowed then what he avowed now, that, considering all the circumstances of her then situation, the settlement that had been made upon her, the separation, founded on the state of incurable alienation, hopeless of reconcilement in which she and her royal husband were placed, towards each other; a separation which had been sanctioned and confirmed by the king as the father of his family; and subsequently recognized by parliament in the arrangement of her separate income, she would act most beneficially towards herself by going abroad and living with her own family at Brunswick (as her majesty originally intended), or in any other society in Europe of which she might be the grace, life, and ornament. If he thought this the best advice which he could give the Princess of Wales then—he thought it the best advice he could give her majesty now. That opinion he should have entertained in 1814, and it would remain unchanged now, were the party to whom it was given so circumstanced as he had described, one to whom he was bound by the dearest ties. If the reasons of that opinion were changed at all, it was only by having acquired new force since 1814. In 1814 he had given her majesty that advice, because in addition to the considerations arising from the hopeless separation which existed between her and her royal husband, he saw that faction had "marked her for its own." He saw that there would be neither comfort nor tranquillity for her majesty in this country. Of fascinating manners, of easy access, of an open, generous, and unsuspecting disposition, she would insensibly have become the rallying point of disaffection, and of political intrigue [Shouts of Hear, hear! from the Opposition]. If her majesty were now to remain in the country, she would now, as in 1814, become the rallying point of disaffection and of political intrigue. He repeated the words, advisedly. What he thought in 1814 he thought now; and he would ask were there no symptoms already apparent that now at least his apprehensions were not ill founded [Shouts of Hear, hear! from all sides]? He gave in 1814 the advice which he considered no less beneficial with reference to the princess of Wales's own happiness than to the tranquillity of the country; and he again asked the House if there was any reason to suppose from recent occurrences that at the present moment her majesty would be less likely to risk the sacrifice of her own peace by being such an instrument in the hands of those whose designs were directed against the peace of the country?

But, whatever might be the motive or the value of his opinion on that occasion, as her majesty had decided in 1814 to live abroad, what reason was there for supposing that a proposition to continue to live abroad would now be unpalatable to her majesty? Did not the same state of separation exist between her majesty and her royal husband? Could any one doubt that a residence abroad would now, as then, be most conducive to her majesty's happiness? But the hon. and learned gentleman had urged against his majesty's government, that her majesty was required to take an incognito title. So far, however, was such a proposition from being justly liable to be considered an affront, that it was distinctly suggested in the communication to which he had already alluded as having been made to his majesty's government in July last;—nay, that communication went further, for it specified the particular name that her majesty might assume. How then, could his majesty's ministers possibly expect that this proposition, of all others, should excite in any quarter either surprise or indignation?—The negotiation had, however, unfortunately failed. For this result no blame attached either to the hon. and learned gentleman or to the noble lord who accompanied him to the continent. He had no doubt that the failure was attributable to a fixed determination taken before their arrival, on advice, which, if it had not proceeded from bad intention, was certainly not characterized, to use the hon. and learned gentleman's expression, by "absolute wisdom." That advice, and the consequent failure of the negotiation had forced his majesty's government to appeal to parliament. If, indeed, the result of the negotiation had been communicated to his majesty's government alone, and if it had been accompanied with a statement of the modifications of which the hon. and learned gentleman had that evening spoken, as in his contemplation to propose, undoubtedly the present proceeding would not have been precipitated. But before the receipt of any authentic communication from St. Omer's on which it was possible for the government to act (if there had been still room for further negotiation), disclosures had been made in newspapers which tended to excite the greatest irritation throughout the country; and the whole affair was completely decided by the absolute arrival of the queen in England. The reference of this distressing question to parliament then became unavoidable. Nothing but the being thus forced to proceed would have induced his majesty's government to depart from the system they had so long and so earnestly pursued. He came now to the most painful part of the subject. It was asked why did the queen's actual arrival in England precipitate matters so as to occasion an appeal to parliament?—Was it a crime to come to England? No such thing. The coming to England was a claim to be re-instated in all the rights and privileges of the station of queen. And there was no longer any option, except between the immediate acknowledgment of all those rights and privileges, or a statement of the grounds on which any of them were withholden. It was impossible that the making that option one way or other should be deferred a single day. This was the issue which he had always deprecated, which he now deplored, and which, in common with his colleagues, he had exhausted every effort to avoid.

So long as the late king was upon the throne, and her majesty remained princess of Wales, there was no occasion for any new proceedings, nor could the coming of the princess of Wales to England necessarily have stirred any question, as it would have implied no claim, there could not have been any pecuniary grant to propose to parliament; nor any new rights and privileges to recognize or qualify, on the part of the king. But the accession of his present majesty made it impossible to stand still; something was necessary to be done; and while his majesty's ministers were endeavouring to obviate the difficulties of the case in the best possible manner, the present perplexing calamity had fallen upon them and upon the country. With respect to the alteration that had been made in the liturgy, he admitted that it would have been a wanton insult and act of injustice to have gone out of the way to make such an alteration when no alteration was requisite. But on the commencemen of the new reign it became necessary to make some alteration, and when it was considered that the new arrangement was adopted under the understanding that a final separation and a residence in different countries were settled points, he would ask in what the alteration could be deemed offensive? Alterations had been made in the liturgy in former times, which, though directly personal to branches of the royal family had not been deemed matter of personal offence. The duke of Cumberland had been prayed for in the reign of George 2nd, but the practice of praying for him by name had been discontinued on the accession of George 3rd, in consequence, no doubt, of his altered relation to the throne. The omission of her majesty's name in the liturgy was not an isolated measure (in which case it might have been objectionable); it formed a part of the general contemplated arrangement. The decision upon it was made on the same day as the decision on the general propositions to be submitted to her majesty; the substance and effect of which, as a whole, undoubtedly was, and was acknowledged to be, confirmed and permanent separation and residence abroad. Taken in conjunction with those conditions the omission from the liturgy was (as it had been justly characterized by others, no way inimical to the queen) a neutral measure. For, while it was believed that those propositions tendered to her majesty would be accepted, the insertion of the queen's name and title in the liturgy would have been incongruous with the position in which such acceptance would have placed her.

In offering those propositions, his majesty's ministers—for the reasons which he had already stated—had conscientiously believed they would be agreed to; and sure he was, that if they had, the best interests of the Crown, and of the country, and the tranquillity of the illustrious person more immediately concerned would have been most truly consulted.

He hoped he had now cleared his majesty's ministers from the charge against which it had been said they must prepare to defend themselves; and now the only painful task that remained for him was to explain the grounds of his vote on the dreadfully important question of that night. He agreed with the honourable and learned gentleman, that in the history of the country there was no case precisely analogous to the present. That acknowledgment and that fact ought to bespeak the candid indulgence of the House for the unprecedented difficulty of the situation in which his majesty's ministers found themselves. Where there was no precedent however, the supply of that deficiency must be sought in the spirit and general practice of the constitution, and what was that spirit and that practice? Whenever the Crown found itself in a crisis of extraordinary difficulty, the spirit of the constitution directed a resort to parliament; and when did parliament on such occasions refuse their advice, counsel, and assistance? Such was the spirit and practice of the constitution, and such was the nature and the principle of the proceeding to which his majesty's government now had recourse.

The hon. and learned gentleman had found fault with that part of his noble friend (lord Castlereagh's) speech in which his noble friend had compared a committee of that House to a grand jury, and had observed, that grand jurors were always sworn. In that respect, certainly the members of that House could not be made to resemble the members of a grand jury; and therefore, if it were fitting that the matter in question should be at all submitted to the House of Commons, the ceremony of an oath must be dispensed with. But the hon. and learned gentleman was of opinion, that government ought rather to have at once come forward with a bill of pains and penalties; and on their own responsibility, and without consultation with either House of Parliament to have become her majesty's accusers. He (Mr. Canning) for one, so help him God, would never place himself in the situation of the public accuser of that individual But what, according to the hon. and learned gentleman's own showing, would have been gained by that mode of proceeding? The hon. and learned gentleman had professed that he should consider the report of the committee as of no authority, because the committee would be in effect nominated by his majesty's ministers. What authority then would the hon. and learned gentleman have been disposed to allow to an accusation, emanating directly from his majesty's ministers themselves? Even under the circumstances which had overwhelmed all the efforts of ministers to avoid this discussion, he was at a loss to see the obligation upon them to become public accusers. Their efforts in the spirit of peace and conciliation had failed; but before a bill of pains and penalties, or any other decisive measure, assuming guilt as its foundation, was introduced, the ministers thought it right to communicate to parliament the whole of the materials of which they were themselves most unwillingly in possession, and to take whatever chance there might be that parliament might reverse their opinion and decide that there was no ground now for inquiry. Would that decision be open to parliament, if his majesty's ministers had prejudged the question so far as to bring forward an accusation? Would parliament even have entertained such an accusation in the shape of a bill of pains and penalties, without insisting upon ascertaining, by a committee of their own, whether there was any ground for such a measure? And would not therefore the very proceeding which the hon. and learned gentleman now recommended have been such, to an absolute certainty, with the very motion for a committee which he now so strenuously reprobated? His majesty's ministers could do no otherwise than appeal on this terrible question to parliament. If they had attempted to take a shorter course, parliament would have tried then to abandon it. How the House of Commons would deal with the appeal now made to it—whether by secret, or by open investigation, was now the question to be determined. If the former, there might be yet one chance—whatever the value of that chance might be—that the further proceeding might be averted. In the latter case publicity would be given at once, to all the grounds of charge against her majesty; and then a complete investigation would become a matter of justice to her majesty. For this reason, he much preferred the proceeding in the first instance by a secret committee. If the secret committee reported that there was ground for crimination, then undoubtedly to the public the whole question must come, and opportunity must be given to the illustrious individual to confront her accusers, and to detect the infamy, if infamy were justly imputed, of the evidence on which the charges against her rested. His first wish had certainly been that this investigation might be averted; his next wish was, that her majesty might pass through the approaching ordeal triumphantly. Never in public life, nor in a private capacity had he felt such difficulty as in the present question. He hoped the House would pardon him for speaking of his personal feelings. Had it been in his power to avoid the call of duty, he would rather have been any where than where he was, when the subject first came to be agitated elsewhere, and during the present debate. Towards the illustrious person who was the object of the investigation, he felt an unaltered regard and affection,—if he might use without impropriety so ardent a term. Gladly would he have rendered her any service; and there were no efforts he would have spared, no sacrifices he would not have made, to have prevented the necessity of such a proceeding as the present against her. If there had been any injustice meditated towards her majesty, no consideration on earth should have induced him to be a party to it, or to stand where he at that moment stood. Yet, on the fullest consideration, he had not thought that he should act honestly if he suffered his private feelings to prevent the discharge of his duty to his country, and to his sovereign. From all he had observed, the proceeding hitherto had been just and honourable; and he could not have withdrawn from his official situation without giving rise to the most injurious suppositions of a contrary character. By saying, that the proceeding was just, he by no means intended to pronounce any opinion as to the validity of the charges. That was a matter for subsequent examination—and not to be prejudiced by individual opinion. What he intended to express was his entire conviction, that the proceeding was instituted only because it could not be avoided; and that there was no other motive for it than public duty, no other object in it than a sincere desire to elicit the truth. It was but justice to those with whom he had the honour to act, to say, that they had undertaken the painful task only from a sense of what was due to the sovereign, to the country, and, under the circumstances of the case, to the illustrious individual immediately in question. How happy would they have been, if, by a favourable result of their efforts at accommodation, they had been enabled to spare all these interests, and, what was of no less importance, as the hon. and learned gentleman had justly remarked, to spare the national morals the shock, and the taint of such an inquiry! It was not their fault that these earnest efforts had failed. All that had been done by the government with reference to her majesty had been done in the spirit of honour, candour, justice, and feeling. If he had observed the existence of any other disposition, no consideration on earth, he solemnly repeated, should have tempted him to become a party, or to remain a witness to it. His majesty's ministers had all alike been animated by the same zeal to avert the necessity of such a discussion as the present. But (such were the mean agencies that sometimes controlled human affairs) all their efforts had been rendered fruitless—he would not say by the evil intentions—but by the weak judgment of certain indiscreet individuals who had displaced her majesty's more sober advisers.—If any sacrifice on his part could have averted this calamity, if any sacrifice on his part could now avert this calamity, he would willingly retire into the most insignificant station. He saw there was something that seemed to delight the hon. gentlemen opposite in this declaration. Certainly he knew that it had been one of the common-place topics of the hon. gentlemen's speeches, that his majesty's ministers were clinging fast to their places, and that out of their adherence to those places the present communication to parliament had arisen. The hon. and learned gentleman, however, was well aware, that such a charge was not well founded; the hon. and learned gentleman knew that his majesty's ministers possessed the means of refuting it. He repeated, then, that if the present had been a case in which any preponderating influence had been exerted in order to have the charge brought forward, and if the bringing of it forward could have been at all checked by the retirement from public life of so insignificant an individual as himself, God knew with what cheerfulness he would have resorted to that expedient! But this was by no means the case. With a judgment therefore perfectly conscientious, though at war against his private feelings; with a reluctant sense of duty, and with a heavy heart, he came to the discussion, which could only have been averted by a favourable termination of the negotiation with her majesty; regretting deeply the fatal success of those counsels which frustrated all the endeavours of ministers, blasted their fondest expectations, and had left one course only for them to adopt,—the course which they had this day adopted.—Such were the observations which he had thought it necessary to offer to the House,—some of them forced from him by his own personal situation, others dictated by the duty which he owed to his sovereign and his country. Having now discharged that duty to the best of his ability, he hoped he might, without any dereliction of it, indulge his private feelings, by abstaining, as much as possible, from taking any part in the future stages of these proceedings.

Mr. *Brougham*, in rising to explain, expressed his conviction that the House would feel that he was placed in circumstances so peculiar and delicate, that it would allow him to trespass beyond the ordinary bounds of explanation. In the first place, as to the transaction which the right hon. gentleman had referred to as having taken place in the month of July last, which he had affected to surround with such mystery, yet had revealed in every part to all the House, and every tittle of which reference was evidently understood to apply to him (Mr. Brougham) he would say, that if by throwing him overboard without injuring his principal, the right hon. gentleman could add strength to his own argument, or that of the noble lord he was perfectly at liberty to do so. The right hon. gentleman had talked of the profound secresy with which certain propositions had at that period been tendered to the Crown. What the right hon. gentleman meant by profound secresy he could not exactly tell; but it did not appear to him that propositions which were communicated to 15 cabinet ministers were likely to meet with much chance of profound secresy. The House was certainly not bound by the rules of courts of justice, but it was reckoned one of the most disgraceful professional expedients; it was always most decidedly discountenanced by every judge, when an attempt was made by counsel, agent, or party, to utter one syllable of an imperfect and incomplete negotiation or compromise. The attorney or solicitor-general, or the chief justice of Chester, would say whether such disclosures were not discountenanced by every court, as the means of preventing all amicable arrangements. Though the right hon. gentleman had not felt himself bound to secresy, he (Mr. B.) felt himself still in some degree under that obligation, although it was necessary to state in justice to the royal individual concerned, who was now chiefly in question, and he asserted it solemnly, and on his honour, that her majesty was not in the slightest degree implicated in the proceeding adverted to. The right hon. gentleman might treat as he pleased the person who made those propositions, but her majesty had no more knowledge, no more influence over those propositions than the child unborn. He at present felt himself under a difficulty of entering into his own defence, which was foreign to the present question; but he pledged himself, when the inquiry was at an end, to bring forward that defence, and if he did not justify himself in being a party to the proposal in last July, and if he did not show that there was nothing inconsistent in his taking part in that negotiation, and in his taking the course which he had done in the present discussion, he hoped the House would not give any credit to an assertion of his hereafter. If he had been disposed at that moment to enter on his defence, yet the right hon. gentleman, alluding unexpectedly to a negotiation which he professed to keep secret, had taken him unprepared with a single scrap of paper to which to refer.—There was one circumstance in the date of the transaction which presented in part an obvious defence. The illustrious person was not then queen, and it was a very different proposal that she should forbear to assume a title which might fall to her at some distant and contingent time, and that she should lay down what she had in course of law assumed. Widely different too was that proposal from the proposition of lord Hutchinson; the one calling on the princess of Wales not to assume a particular title, which might afterwards descend to her, the other to renounce any title taken from the royal family of England. In the next place, as to what had passed between him and lord Liverpool. The right hon. gentleman had most strongly misrepresented, or perhaps he should rather say misunderstood, what passed between him and the earl of Liverpool; for the earl of Liverpool was the only one of the right hon. gentleman's colleagues with whom he had had any communication. How could the earl of Liverpool, how could the right hon. gentleman himself, suppose for a moment that he had gone abroad as their agent? Not one of his majesty's ministers had ever presumed to make such a proposition to him, and he believed he was the last man in the world whom they would have thought of employing in any of their missions; that he should undertake to negociate in their behalf with his own principal was an idea quite preposterous. He had waited on lord Liverpool, not at the desire of that noble lord; he had not applied to lord Liverpool, he had made an application to an higher quarter, and it was in consequence of a command from that quarter that he had applied to lord Liverpool. He received from lord Liverpool a proposal, which, as the servant of the queen, he was bound to deliver to his mistress. That proposal, too, was materially different from the proposition communicated by lord Hutchinson, and did not contain that extraordinary proviso, that her majesty should renounce every title connected with the royal family of England. In fairness to that noble lord, himself, and the House, that ought to be made known. He did not know whether the right hon. gentleman intended to sacrifice that noble lord in order to save himself and his colleagues, by saying that they had never authorized such a proposition as he had made; but he felt convinced from his knowledge of that noble lord's character, that he would have offered no proposition which was not fully warranted by his instructions. He was still of opinion, that if her majesty, after a complete and ample acquittal, should, either for her own comfort or for the peace of the royal family, choose to reside abroad, there was no mischief in her being gratified. If by giving up the title of queen were meant, as it had been explained, the preservation of an incognito, under which, in fact, the queen had often travelled, the proposal was widely different from that by which she was to preclude herself from taking any title connected with the royal family, and to give up all her rights—a proposition which he had at once counselled her majesty to reject. If in the hurry of the debate he had said that he had received it with indignation, he allowed that the word was improper. He had advised her majesty to reject it before she had time to manifest her indignation. That indignation it was for her majesty to show, as she had shown in the consciousness of innocence—not for him her professional adviser. He was sorry to say, that instead of finding the propositions first made, afterwards tendered to her majesty with modifications, he found them tendered with aggravations — modifications he could never call them—which rendered it impossible for her to accept them. As the right hon. gentleman had unlocked his lips on a subject upon which he had intended that they should remain sealed, he would beg leave to refer him to a letter which he had written to lord Liverpool the day before he departed to the continent, in the apprehension of a mistake similar to that into which the right hon. gentleman had fallen. In that letter he had stated, that he could give no opinion on the proposals transmitted through him till he had seen her majesty, and that he could not pledge himself that, after seeing her case, he would not advise her immediately to come home. Knowing that the right hon. gentleman must in all probability have seen the letter in question, he was surprised indeed at hearing him say that he (Mr. Brougham) had acted as an agent for his majesty. The proposition which had been made he had advised her majesty to reject, and he was confident that that proposition had not been made by the noble lord without authority and instruction, whether they came from his majesty's ministers or not.

Mr. *Tierney* said, it was impossible that any man of good feelings could come to this question without the deepest anxiety. He thanked God, that he had nothing to do with the negotiations which seemed to have brought all the parties concerned in them into a piteous plight. All he knew of them was what he had picked up in the course of the discussion. If only the speech of the right hon. gentleman who had last spoken, had been uttered, he should have felt himself bound to say a few words, because without any negotiation at all, and without even any consciousness on his part, it had been proved by the right hon. gentleman, by an argument like the House that Jack Built, one thing drawing on another, that he who knew nothing about these negotiations, was the cause of every one of them; for that if it had not been for the clause which he had introduced into the bill of 1814, limiting the income of the then princess of Wales to the life of his late majesty, nothing of this kind could possibly have occurred. He begged leave to explain that circumstance. At that time it was proposed to give her majesty for life an income of 50,000*l.* a year, in consequence of her being declared innocent of the charges brought against her. He was one of those who thought that the regent was bound to provide such an income for his royal consort as would enable her to maintain a court of her own, and enjoy all the honours of her situation as princess of Wales. Though he was anxious to see her thus provided for, he thought that 50,000*l.* a year was too large a grant, and so he told the late Mr. Whitbread, stating, that if the proposition were persisted in, he should feel it his duty to go down to the House and oppose it. This was the only negotiation in which he had been engaged, and the consequence of it had been, that after his intention had been communicated to her royal highness, she sent down a message to the House declining to take more than 35,000*l.* But that sum, it was said, was granted with a view, and under an understanding, that her majesty should leave the country. This he positively denied, and he would mention a fact in corroboration of what he asserted. Having heard of her majesty's intention to leave the kingdom only two days before the prorogation of parliament, he sent a message to the noble lord opposite requesting he would come half an hour earlier than usual to the House, as he wished to say a few words before the usher of the Black Rod entered the House. The noble lord came accordingly, and he (Mr. Tierney) then stated that he would not have voted to her royal highness an income of 35,000*l.* a year if he had known that it was to be spent out of the country. But now it was said that her majesty's residence abroad would be most conducive to her own comfort. He did not know how that was. Long use might have latterly made it so, but at that time she had been 15 or 18 years in England, and he had wished to retain her here as an English woman. When the right hon. gentleman said, that if her majesty had remained in this country she would have been liable to have been made the instrument of political intrigue, he (Mr. T.) agreed in that opinion. She would not, however, have been an object of political intrigue with the faction out of doors, who were a mob, but she would have been an object of political intrigue to some whom he would not farther designate. If the right hon. gentleman wished to know who they were, he might ask some of his own colleagues, who at that time were her friends, though they were now ready enough to become her accusers. He meant no allusion to the right hon. gentleman himself; by no means; but if there ever had been one transaction in which political intrigue had been more apparent than in another, it was a transaction connected with this royal personage, from which a certain legal person had derived great advantage [Cries of "Name, name."] He would not name him; he did not think it right [Cries of "was it Mr. Perceval?"] No, it was not Mr. Perceval; if we had had him, we should have been much better off than at present. If the right hon. gentleman did not know whom he meant, he might ask him to-morrow morning, or he would refer him to a noble and learned lord who would at that time be employed in distributing equity. It had been said that the mass of the ministry had done every thing to avoid the present proceeding—that it was not their fault—that they were forced to come down. For himself he did not think that they had made out such a case of compulsion. He had heard the eloquent speech of the professional adviser of the queen; it was impossible to add one word to strengthen it, and he would not weaken by attempting to add to it, but would content himself with hoping that her majesty would be triumphantly acquitted. But this was a question in which his majesty was concerned as well as her majesty. Who was it then that defended his majesty? It was said of the mass of the ministers, that they came not of their own accords, that they came down driven onwards reluctant. Who was it that drove them? It must have been some paramount influence that impelled them. The right hon. gentleman talked of his affection and gratitude to the queen—of her amiable habits, and his peculiar intimacy.—The noble lord too, though not peculiarly susceptible, might have his private feelings in her favour, as he had seven years ago, but he was quite sure there were other members of the cabinet who had some other motives than regard for not wishing to come forward with the present proposal. Whatever the ultimate proposal was to be, why was it not brought forward by the ministers, instead of by a secret committee? What was not fit for the ministers to do, was not fit for the House. "So help me God," had said the right hon. gentleman, "I will not be a public accuser."—He (Mr. Tierney) had wished some excuse to avoid being put on the committee which was contemplated—but he was now furnished with one. "So help me God," he would repeat, "I will not be a public accuser [The public accuser, said Mr. Canning, across the table]. —Well, the public accuser: what else would any one be who became a member of the secret committee? Let the House view the case; it was this. The noble lord brought down to the House, papers, and a message, stating it to be his majesty's pleasure that the House would appoint a committee to inquire into the conduct of the queen during her residence abroad. Was there ever such a proposition? Ministers had been in possession of these papers for a considerable time, upon which they doubted, after serious deliberation, the possibility of founding any inquiry, and then came to the House, asking a committee of 21 members, to extricate them from their situation! The instructions to the committee by the noble lord were, to inquire into and examine these papers, to report their observations and opinions thereon, and to suggest any measures or not as they might think proper. The noble lord had said, that he had a doubt on his mind as to the result of the inquiry by the committee, and whether it would be necessary to pursue any course against her majesty. If there was a doubt in the minds of his majesty's ministers whether any step was to be taken, what became of their boasted delicacy towards the queen? But when they went into a defence of the manner in which they were forced—and really that was as curious as any other part of their conduct—that message, said they, would not have been brought down to parliament unless the queen had arrived in England; that was to say, they were very careful about her character in England, but if she remained abroad, they were very indifferent whether it was good or bad. He would repeat what he was not ashamed of having said before, that before any money was voted to the queen some course ought to be taken which would establish either her innocence or her guilt. On account of his saying so, he expected to be told that he was against all compromise, and to be taunted, as another hon. member had been, with not possessing "absolute wisdom." But this was not the fact. If they could come to any compromise with the queen, paying, however, a due regard to the establishment of her innocence, he should have no objection; but this could not be done under the present administration. They had been daily insulting her majesty for the last seven years: they had sent her abroad in a frigate: they had not allowed her a yacht to convey her home. When foreign ministers applied to know how she was to be received, they were told, that as she was not received in her own court, it could not be required that she should be received at other courts. Then came the question of the Liturgy, in which she was insulted at the very moment when a compromise was treated of. Was this the way to lead to an amicable arrangement? But it was said that there was nothing galling in that; that it had been done in the cases of other members of the royal family; as for instance in the case of the duke of Cumberland, the son of George 2nd, who on the death of that king was no longer prayed for by name. The duke of Cumberland, by the change in his relation to the ruling sovereign, sunk into the mass of the royal family. They might see that, for the same reason the chairs near the throne in the House of Lords, in which the royal dukes were used to sit, had been removed. But by law it was expressly declared that the queen should be prayed for, and a power only was left to the king in council from time to time to alter the names. Could any one doubt that the meaning of this was, that they should change, for instance Charlotte for Caroline? Nothing could be devised more galling than this. From the habits which the people of England fortunately possessed of attending places of worship, no more public mode of branding the queen could be devised, than this alteration in the form of prayer. There was a moral certainty, that for months after the change, the general conversation throughout the country at one o'clock on every Sunday would be,—"Why was the queen left out of the Liturgy?" The way of publishing notices respecting assessed taxes, chosen as the most effectual one that could be thought of was, to fix them on the church doors. Here the same course was pursued, with this difference, that the slander was in the inside of the church instead of the outside. Was it a wonder, then, that her majesty, after such a stigma, had rejected the proposals which had been made to her? The right hon. gentleman had said that the words of lord Hutchinson had not been rightly understood; that they were, "that her majesty should renounce the name of queen of England, and travel incognita;" and then he had read a paper from which it appeared that she was to renounce all her rights as queen, except the power of appointing two law officers to defend her interests. This reminded him of the epigram, said to have been written by Dr. Swift:—

"Behold a proof of Irish sense,
Here Irish wit is seen;
When nothing's left that's worth defence,
They build a magazine."

The queen was to have law officers to defend her rights, when she had no rights left to be defended. These terms were to be made palatable by a bribe of 50,000*l*.; for what was it but a bribe? And when that was refused, came the bullying threat that at the moment of her arrival in England, a message would be sent down to parliament to inquire into her conduct — a message with which the right hon. gentleman opposite, who regarded it as a visitation, seemed to have nothing to do. Ministers said they had resisted; but supposing his majesty wished to avoid this situation, would they have advised him to it? His majesty must of course have his private feelings, and not wish to bring this subject before the public. He would ask the right hon. gentleman, was it not true that his majesty, whose conduct had been highly honourable, had always a wish to prevent any steps like the present? Was it true, that for months past, ministers refused to take the measures now proposed? Ought not ministers to have come down at once to the House, and have submitted these papers which they appeared to have had so long in their possession? Was it not degrading, that a person should be sent out to Milan, and a commission issued, the object of which was to collect evidence? It was said that this person was not sent out by ministers; by whom was he sent then? The right hon. gentleman then took shelter behind a quibble and said, no commission was issued, perhaps no actual commission had been made out; but he would venture to affirm that what had been done was not done without the concurrence of ministers? He was quite surprised at the manner in which the ministers had attempted to shuffle all responsibility off their own shoulders, no matter where it might fall. When he first entered the House of Commons, there was a party distinct from ministers or Opposition, called the king's friends. Of course there was no such thing now. If there had been, when they came to make their report of what had passed that evening, the right hon. gentleman would surely have had no need to be so squeamish about his resignation. His hon. and learned friend had said, that if the present ministers left their places, he was sure no one else would come in. He (Mr. Tierney) was not so sure of that; it was going rather too far. He did not think so meanly of the country as to suppose that if all the other side of the House were swept off the face of the earth, a sufficient administration could not be found. Indeed, it would be most gratifying to him that his majesty's ministers should be removed, and that some persons should be put in their places who could negociate with her majesty. But he saw by their countenances that they had no such rash intentions. The right hon. gentleman had said, "This is an unpleasant discussion, and I shall take no farther share in it." He (Mr. T.) should be sincerely glad to be of that party—to form a coalition with the right hon. gentleman, and to walk out of the House together. But, unfortunately, this did not accord with their duty, and he had to examine the proposition which had been made. It had been said that the secret committee which was to be appointed was like a grand jury. There were many reasons why it was not. A grand jury had a bill presented to them against a person accused, charging him with a specific crime, and their duty was to say whether, from the *ex parte* evidence offered to them, it appeared that the accused should be put upon his trial; but the novel kind of grand jury now asked for, was to ascertain and report what sort of proceedings ought to be taken against her majesty. What was that but putting the House into the situation of public accusers? The noble lord said that the committee might recommend a divorce, a bill of pains and penalties, or any proceeding which they might think fit, or no proceeding at all; but did the noble lord think that such an inquiry would satisfy the country? Did he think that the public would think it sufficient that these papers only met the eyes of the committee? He might be asked what he would do? He would tell the House. He would not have any objection to a committee of the whole House; but he would never consent to a secret committee. If any of the passages in the papers were not fit to meet the public eye, they might be read with closed doors; and it might afterwards be referred to a select committee to erase the improper passages. In a committee of the whole House every thing would be fair, and her majesty would have all the documents necessary for her defence, and those which would be brought to establish the facts charged; and every opportunity of explanation or refutation. The other course was perplexed with mystery and secresy; he wondered not that her majesty had protested against it. She had been attacked by secret enemies abroad—she had complained of them, and now it was proposed to refer the papers respecting her conduct to a secret committee. The House had been told that all papers from the Crown had been submitted to secret committees. True; but that was in the case of traitors, where the publication of their contents would give the names of the informers, and warning to the traitors to escape. But how was it in this case? These papers, if the case went on, should be produced at the bar. The only effect of secresy would be to taint the public mind. Could it be doubted that the House was placed in a very unpleasant situation, to be called on to entertain such a motion under such circumstances. This was the consequence of the temporizing policy pursued by ministers, that the queen had been brought back in triumph to our shores, and the king rendered a suitor to his parliament. He had been told, that it was the intention of some hon. member to make a motion, to give the House time to pause. If such a motion were made, he would give his negative to the proposal of the noble lord, and use any influence which he might possess in forwarding the other. He conceived that the basis of the whole arrangement must be to enable the queen to reside in this country with an unsullied character. Why had such haste been shown in bringing on the investigation? It was said the cause had been the publications in the newspapers of the propositions made by the ministers. The publications might be wrong, unguarded, premature and garbled. But this was not the only cause of the proceeding. Lord Hutchinson had said, that on the queen's landing, a message should be sent down to parliament, and a message was sent accordingly. But the most extraordinary thing was, that after all, when the message was sent down, they were not determined what it was to be about. They sent down a message, accompanied by papers, on which they had not been able to decide in the course of 12 months, and they called on the House to say what was to be done with them in 24 hours. He was satisfied, if his late majesty had not died in January, no such proceeding would have been instituted. Again he said, it was to the temporising conduct of ministers that the difficulty was to be attributed. If a year ago, on the receipt of the information on which they now acted, they had instituted an inquiry into the conduct of the princess of Wales, or have declared that they would be parties to no such proceeding, no difficulty would have now occurred. But they put it off from day to day. At one time they promised to give no opinion, till there was farther information from Italy. When that information came, they had some other pretext for delay;—then, they said, that no proceeding was necessary till a grant of money was proposed—till at last, their temporary pretexts, by some accident, being torn aside, the papers were in the hurry of the moment, sent to the House, and the country thrown into an agitation from which the ministers themselves knew not what would proceed. Their conduct throughout the whole proceeding had been characterised with injustice to the queen, disrespect to parliament, and above all with the most marked indifference to the feelings and dignity of their master.

Mr. *Wilberforce* said, there was nothing but the absolute despair of any reconciliation or adjustment in this case, which would compel him to abandon the course which he now felt it his duty to adopt, with a view of preventing the dreadful discussions with which they were threatened. His hon. and learned friend had stated, that the proposition respecting the title of the queen, which had been made in a different sense from that which had been submitted to him, was the chief cause of the unfortunate termination of the negotiation. That alone was a powerful reason with him for thinking that an accommodation was not yet impossible. He could not help entertaining also some hopes, not only from the circumstance, that the present proceedings became in some degree necessary from the conclusion of the negotiation abroad, but also from the circumstance that the proceedings had commenced so soon after the arrival of the queen. He believed there was not a man in the House who did not participate in his feeling of wishing, if possible, to prevent the investigation from proceeding farther if it were possible; because if the step then recommended to them was once taken, retreat would be found impossible after it. If he discovered a spirit in the House likely to accede to such a suggestion, he would propose an adjournment of this question for a day or two, in order to see whether, through the instrumentality of common friends, some compromise might not take place between the two parties. On every account, such a measure would be desirable, and, amongst others, on account of the public morals, which would not then receive any taint from the disgusting details which the papers then on the table of the House in all probability contained. Any one who would revolve the matter in his mind, would confess that it was impossible in the present state of suffering and distress to discuss this subject without inflaming the already excited passions of the country. He was acquainted with no circumstance in history which was followed by evils in his opinion exceeded by those to be apprehended from the present case. Of a proposition like this, there was no true lover of his country, who would not be glad and wish to see by all means the fatal extremity averted. It would be impossible to say that a party would not be found to avail themselves of a subject like this. Of the feeling with which ministers were actuated upon this occasion he could entertain no doubt: the question went far beyond the point of political feeling [Hear, hear!]. Before he made his motion he was happy so clearly to perceive the inclination of the House. With his own motives he was satisfied. His only wish was to spare both parties the misery which must inevitably be their lot if the existing proceedings were carried farther. The hon. member concluded by moving, that the debate should be adjourned until Friday next [Loud cheers].

Mr. *Fowell Buxton* rose for the purpose of seconding a motion which, if adopted, would carry with it the blessings of the country. If the motion, on the contrary, were rejected, evils were impending over the country, of which no man, however wise, could foresee the termination, and which no man, however bold, could contemplate without apprehension. His majesty had condescended in this emergency to ask advice from parliament, and it was impossible that parliament could offer to the monarch any advice more salutary than to spare to himself, to the Crown, to that House, and to the morality, the delicacy, and the reputation of the whole country, disclosures at once so perilous and so painful as those with which the public ear was at the present moment threatened.

The original motion and the amendment having been put,

Mr. *Wynn* said, that after the manner in which the motion had been seconded, he should only say, that he believed it was a motion consonant with his feelings, and, he believed, with the feelings of every honest man in the country.

Some might apprehend more, and some less, danger; but evils pure and unmixed must follow, if unfortunately they were doomed to enter upon an investigation. In the event of such a calamity, it would be some comfort that the country would feel that that House had done its duty. He would conjure the House to agree to the motion, and see if delay, which certainly could not be prejudicial, would operate in another way. He would not envy the feelings of the man who could go home that night, after giving a vote which would exclude all possibility of conciliation.

Mr. *S. Wortley* said, that after what had taken place he had very little hope of any compromise; but as a great many members thought that the delay might produce a compromise, the House would do well to consider whether it ought not to make that small sacrifice.

Mr. *R. Martin* said, that whilst he considered it an honour to be what was called a party-man, and had usually voted with ministers, he did not think this a question of party. He should therefore vote against the original question, and support the adjournment. It was his wish to notice a declaration made by a right hon. gentleman respecting the residence of the queen. He dissented from those who thought that such an adjustment was likely to take place as would render this country an agreeable residence for her majesty. He thought this a subject pregnant with mischief; and the best way to promote an amicable adjustment was, in his opinion, for the queen to remove from this country. Her majesty might remain at some near port, where she could have the means of communicating immediately with her legal advisers. But the longer she remained in London, the greater the danger was, and the more injurious it might prove to the country. He wished to know from a worthy alderman opposite (Wood), whether he had advised the queen in her present course of proceeding.

Sir *T. Acland* felt that his majesty's ministers would not pursue the line of conduct which had hitherto entitled them to the good opinion of the country, if they persevered in the motion which had been brought before the House. Precipitation might produce consequences the most alarming, and the postponement of the question could at least not be productive of any ill-effects. On what account, and from what cause had the country suffered so much, when the question had been before agitated?—From precipitation. There did not seem, from the speeches of the right hon. gentleman and of the hon. and learned member, to be a great difference between them on the general question; and it was to be hoped, that the mediation of mutual friends to the illustrious personages would tend to remove the difference which existed. Thinking that a delay of two days would not prove injurious, he trusted that that time would be allowed for the better consideration of the question.

Mr. *Gooch* said, he felt great delight on hearing the motion for an adjournment offered to the consideration of the House by the hon. member. A few days would not injure the consideration of the question, and he hoped that his majesty's ministers would consent to the delay.

Sir *E. Knatchbull* intreated his majesty's ministers to accede to the proposition. In so doing, they would give satisfaction to a large portion of the House, and to the country.

Mr. *Davenport* intreated ministers to consent to allow the House and the country time to pause, and to reflect on the important subject, by agreeing to the motion of an adjournment.

Lord *Castlereagh* said, he would not oppose the motion for delay. It marked the spirit which pervaded the House; and that spirit was the same in which, he trusted, it would be allowed ministers themselves had acted. He could not be responsible for the effect of the delay; indeed, it was his conviction that little could be expected from it; but he was not therefore the less disposed to bow to the wisdom of those who entertained a different opinion, and had expressed that opinion. It was not his intention to enter into dispute; but, if he had been disposed for controversy, provocation had not been wanting. If ever he had listened to a speech calculated to induce an individual to commit himself, it was the speech which had been delivered by the right hon. gentleman opposite; and there was one sentence in that speech, upon which he would try to draw down the indignation of the House. It had, by the right hon. gentleman, been made a reproach to ministers, that they had not counselled his majesty to take a different course from that which he had thought it proper upon this occasion to pursue. To what the sovereign must have felt as a man (and he must have felt most deeply) he would not advert; but the course which his majesty had adopted was, to take the advice of parliament as to what was fit to be done for the honour and for the dignity of the Crown. He should have been guilty of disobedience to the orders of his majesty if he had attempted to mix any opinion or statement of his own, with the impulse which had governed his majesty in the execution of a duty due to the public; and it was impossible to avoid stating, that, in the discharge of such a duty, his majesty was fully capable of laying aside and of forgetting every thing like personal or private feeling.

The question upon Mr. Wilberforce's motion, "that this debate be adjourned until Friday next," was then put, and carried without a division.

HOUSE OF LORDS.

Thursday, June 8.

SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN BALLOTED FOR.] The Earl of Liverpool moved the order of the day for proceeding to ballot for a secret committee, pursuant to the vote of last night. The clerks were about to hand about the balloting glasses, when

Lord *Kenyon* rose to propose the postponement of the order, as he saw no other noble lord disposed to interfere. Concurring as he did in the wisdom of the measure which their lordships had yesterday resolved to adopt, it might appear extraordinary that he should propose any thing calculated to prevent its being carried into effect. Indeed, considering the nature of the message which had been received from the throne — considering also what was due to the dignity of the illustrious parties, as well as to the propriety of their lordships proceedings—he had regarded the appointment of the committee the only fit course to be adopted. It was a proceeding to which their lordships were driven by the necessity of the case; but he understood that circumstances had arisen from which there was reason to hope that the very painful consequences which were to be anticipated from the measure their lordships had agreed to if it were to be proceeded in, might yet be averted. Under these circumstances, he entertained a confident expectation that their lordships would be prevailed upon to suspend the measure they had agreed to yesterday, in the hope that something might occur to render it altogether unnecessary. The proceeding had been delayed in another place with the view to afford opportunity for an arrangement; and he was sure that if their lordships could do any thing to prevent the facts proposed to be referred to the committee from being communicated to the public, their taking such a step would be the means of preventing a great calamity from taking place. While there was any probability of such an arrangement being entered into, there was sufficient ground for their lordships to delay the execution of the order they had made. It was true it would be in their lordships power, even if the committee were appointed, to suspend the investigation; but he thought it would be much better if the committee did not enter on its functions at all, until it should be seen whether the expectation which at present existed would be realized or fail. This course would show their lordships wish to conciliate; and with that view, he would propose that the ballot be postponed till Monday.

The Earl of *Liverpool:* — My lords; with reference to what has been said by my noble friend, I think it necessary to state, that no circumstance has been communicated to me, nor have I any information to authorize me in holding out any prospect of conciliation. Far be it from me, however, to negative so desirable an object, which must be the wish of every man who at all considers the subject; but what I object to is, that nothing has been stated sufficient to induce this House to recede from its vote of last night, by not proceeding to the ballot. Let us proceed to the ballot, and then it will be perfectly consistent with the regularity of our proceedings to postpone the meeting of the committee for a few days, in order that an opportunity may be given for the possibility of conciliation, if such is the wish of the House. I should therefore propose, after the ballot has taken place, that the meeting of the committee should be postponed till Tuesday.

The Marquis of *Lansdowne* was not surprised to find that noble lords should, on reflection, call upon the House to undo to-day what it had done yesterday; but in whatever light the proposition might appear, he was favourable to the proposed delay. He was ready to support the noble baron's motion, as it appeared to him the most consistent, or rather the least inconsistent, of the two propositions made to the House. At the same time, if the noble baron's motion should be rejected by their lordships, he would accept the course pointed out by the noble earl, because he was most anxious that some means should be found to prevent both Houses of Parliament from proceeding farther in this business. He, therefore, did not mean to oppose the noble earl's arrangement; but he must remind their lordships, that the situation in which they found themselves placed was a proof of the truth of what he had suggested yesterday, of the inconvenience of presuming on the authority of any noble lord, even of a minister of state at the head of the government, what was to be the course which the other House of Parliament would in any case choose to pursue. The result had proved that their lordships ought not to have acted on the supposition of what the other House would do, because it was impossible to know what course that House might think fit to adopt. As the matter now stood, it appeared that their lordships had embarked in the business referred to their consideration with a degree of precipitation in which the other House did not choose to accompany them. They were aware what the other House had done, and those who wished to maintain that contemporaneous co-operation between the two Houses which many thought desirable on such occasions as the present, would doubtless support any proposition for postponement. To effect this purpose, and the still greater object of an arrangement such as had been alluded to, he wished to see the noble baron's motion adopted.

Lord *Kenyon* noticed what had been said by the marquis of Lansdowne, in the commencement of his speech, respecting the undoing to-day what had been done yesterday—an expression which appeared to give much satisfaction to a noble lord near him [lord Holland had smiled when the noble marquis made the observation referred to]. He was one of those who had approved the course adopted yesterday, but he did not on that account conceive that there was any impropriety in now proposing to suspend the proceeding.

The Marquis of *Lansdowne* explained, that he had no intention of applying what he had said to the conduct of the noble baron in particular.

Lord *Kenyon* then observed that, whether it should be their lordships pleasure to adopt his motion or not, he had at least the satisfaction of having drawn from the noble earl an acquiescence in the propriety of delay. What the noble earl, however, proposed was, to appoint the committee, but to allow nothing to be done till Tuesday. He thought it would be a better way to postpone the consideration of the subject altogether while the slightest hope of any conciliatory arrangement existed. As long as any hope could be indulged, he should not think that he did his duty if he did not endeavour to gain time; and as the best and most consistent mode of obtaining that object was, in his opinion, to suspend the proceeding in its present state, he should persist in his motion, and hoped that their lordships would come with him to the conclusion that the order for appointing the committee ought to be postponed to Monday.

The Earl of *Lauderdale* was as anxious to agree to any course which might have a conciliatory effect as the noble baron or his noble friend could be, but he knew of nothing out of that House that ought to be a rule for what it was proper for their lordships to do. He made this observation because the debate had been proceeding in a most disorderly manner. He had never before, in the course of his experience, heard it assigned as a reason for their lordships not proceeding in a measure which they had agreed to adopt, that the other House of Parliament had chosen to decide otherwise. The House had acted on its own judgment; and if delay was thought advisable, the only question which now arose was, which of the modes suggested was most consistent with the dignity of the House? He might join his noble friend in his triumph at the hope of their lordships being compelled to retrace their steps, but it was his duty to consider what was now fittest to be done, and he did not hesitate to say that the mode proposed by the noble earl opposite was that which appeared to him the best.

Lord *Holland* could not agree with the view of the question which had been taken by his noble friend who had just sat down. In the mean time, however, he begged to assure the noble baron who had noticed the expression of his countenance, that that expression was accompanied by no feeling of disapprobation, of what the noble baron proposed. On the contrary it was with much satisfaction he found that the noble baron, who had yesterday voted for a committee, did to-day approve of delay. With regard to what his noble friend had said respecting the notice taken of the proceeding adopted by the House of Commons, so far from considering that disorderly, he considered it a most cogent reason for postponing the appointment of the committee. Their lordships must be aware that their knowledge of what was done in that House did not rest upon the statement of any noble lord that so and so had happened. They had the votes of the House of Commons before them, and from these votes they knew that the question was postponed. How those who contended for the propriety of the concurrence of the two Houses of Parliament in the same measure (which he certainly did not do) could object to referring to what was done in the House of Commons, was a matter difficult to be understood. There were no other means of securing that concurrence. He could assure their lordships that he felt a sincere respect for the dignity of the House. He had never been a member of the other branch of the legislature; and having during the whole of his parliamentary life been a member of that House, could surely, as little as any person, be suspected of wishing to treat it with disrespect. But he always considered true dignity to consist not in persisting in error, but in acknowledging and correcting it. There was good sense and propriety in the old and homely adage, which said that,

When once a man has chanced to lose his way,
The more he walks the more he goes astray.

Instead of obstinately continuing in an erroneous course, the true dignity in such a case was to go back, if possible, or at least to stand still. If the decision of yesterday was, as he contended, precipitate and erroneous, the best mode of preserving the dignity of the House was to retrace their steps. For that reason he very much preferred proceeding on the motion of the noble baron opposite to the course recommended by the noble earl. He wished the ballot to be postponed altogether; and he thought the situation in which the House was placed required that course. Their lordships would recollect, that, the ground on which the postponement was proposed was the possibility that some arrangement might be come to; but of that, he was sorry to perceive the noble earl did not think there was any prospect, and held out no hope to the House that the delay would lead to such a result. But there were other grounds for the delay. The noble earl had yesterday stated, as one reason to induce their lordships to agree to the appointment of the committee, not only that no impeachment was intended, but that it was impossible any impeachment could be the result of the investigation; and that, therefore, the course he recommended could lead to nothing but to a legislative measure. But unless public rumour was quite unfounded, such was not the opinion of all his majesty's ministers. If his noble friend did not call him to order for attending to any thing which did not occur in that House, he would say, though it might be disorderly, that he had heard out of doors that a cabinet minister had said that the referring of the papers in the green bag to a committee would be followed by an impeachment. This he stated, and it could not be contradicted, that he had heard it out of doors. The proceeding was altogether inconsistent, and only calculated to expose the government to that contempt which, according to the words of a bill of last session, it was necessary to prevent. It was impossible the conduct of ministers should not occasion irritation. They could not tell what to do, but came down to throw on the House all the responsibility of their conduct in the hopes that their lordships would shield them, and direct them how to proceed. This, too, was done at a time when it was very probable the opinion of the House might be placed in a conflicting position with that of the other House of Parliament; and when one minister says there can be no judicial proceeding, while another asserts that there may be one. Ought their lordships to proceed to the appointment of the committee, when it appeared that the ministers had not yet made up their minds as to the course to be pursued? Yesterday the whole responsibility was thrown on their lordships of a proceeding which it was now proposed to relinquish, without any other reason being assigned than that the other House of Parliament had not come to the same conclusion. If what had been suggested yesterday had been adopted, this inconsistency would not have occurred. He could not, however, think that making an order that the committee should not sit till Tuesday was the way to preserve the dignity of the House.

The true dignity would be to persist in what they had done yesterday, if they thought it right; or, if they found they had been in error to rescind the order entirely.

The Earl of *Liverpool* could not allow the speech of the noble lord to pass without observation. The proceeding of yesterday had nothing to do with the delay now proposed. It was not said that their lordships should wait for a contemporaneous proceeding of the other House, but the proposition was made with the knowledge that the two Houses were to proceed contemporaneously. The House, however, would act on its own view of the case. He had not said that all such measures should be contemporaneous in both Houses; but he still maintained the opinion he had given, that if the present case was to be proceeded in at all, the proper way was by that and the other House of parliament entering on the measure at the same time. The postponement to Tuesday next was no abandonment of what had already been done, and might have been proposed by any noble lord without reference to what had occurred in another place. He made the proposition without reference to any facts or circumstances which had come to his knowledge. If from the nature of the case, any good result might arise from the delay, an opportunity was afforded for that advantage; but there was nothing in the proposition of delay to impeach the propriety of the proceeding of yesterday.

The Earl of *Carnarvon* was for the postponement of the ballot, and thought the adoption of the noble baron's motion the course which common sense dictated. What was the only ground for delay? It was obviously the possibility that some circumstances might arise which would render it unnecessary to form any committee on the case. The noble earl's rather clumsy way of obtaining delay by postponing the sitting of the committee to Tuesday was virtually the same as the motion of the noble baron. He could not fix Monday for the meeting of the committee, because, if an arrangement should take place after to-morrow, the House would not have the opportunity of preventing the committee from proceeding to the investigation of the papers on the day on which they would be ordered to sit. When no advantage was gained by the noble earl's mode, he thought it would be more becoming in their lordships to adopt the consistent course proposed by the noble baron, especially when they considered the delicate situation in which they would be placed if the House of Commons should, after all, decide to proceed by impeachment.

The Earl of *Darnley* supported the motion of the noble baron, by the adoption of which he thought their lordships would best consult the dignity of the House.

Lord *Erskine* said;—My lords; as my noble friend below me informs me that he shall divide the House upon the question, I must trouble your lordships, contrary to my intention, with a very few words. If the ballot had been only objected to, both yesterday and to-day, on the ground that delay was adviseable, I should consider it as a matter of the most perfect indifference whether we delayed ballotting, or the sitting of the committee to be appointed; but the ballot was resisted, and with great ability and eloquence, on the ground that the proceeding under it would be highly unconstitutional—a proposition to which I can by no means agree. It has been stated, that if we proceed contemporaneously with the House of Commons we shall be placed in a situation which would disqualify us from trying an impeachment, if the Commons should impeach. But in the case before us there can be no reason to presume that such proceeding will take place. The case is shortly this:—evil reports respecting the conduct of the queen beyond the seas (which I sincerely hope, on investigation, will prove groundless) called upon his majesty nevertheless to notice them. The king, by his accession, does not forfeit the rights of a private man, though his situation is changed. He cannot proceed for such a private wrong, like a private man, but as his consort is a public person, representing the nation as well as himself, he must proceed through the public councils; and in a case of great and painful necessity he has applied to both Houses of Parliament for advice. That act of his majesty negatives every idea of an impeachment, and shows that what he seeks is a legislative inquiry, and an act of parliament, if unfortunately it should be necessary; because we ought not to presume that the king asks us to put ourselves in a situation disqualifying us from what might afterwards be our duty, which I agree would be the case if we were now to examine the evidence, and afterwards to sit in judgment upon it under an impeachment. It is certainly true that the House of Commons might proceed against the queen by impeachment, though not at the instance and even against the consent of the king, who had bound himself to act in another manner by his message to both Houses; but can any supposition be more preposterous? The highest wrong, if any has been committed, is to the king, and it is only the queen consort's situation, as it respects the public, thet makes her infidelity a crime at all, and it cannot therefore be believed that, except at the instance of the king, an impeachment could take place, more especially when his majesty has selected another mode of recovering for the public and himself the same measure of justice by a bill, if unfortunately necessary, beginning in either House of Parliament, each being at liberty to reject the opinion of the other. On that ground, I can feel no objection to the ballot which we consented to last night. We have acted as we ought to do, and we have no steps to retrace. I should be, of all mankind, the most inexcuseable, if contrary to the principles in which I have been bred, and on which I have uniformly acted, I should consent to pervert this high tribunal, by consenting to its being accuser and judge. But that cannot be our condition, because, after having been placed in that situation by the Commons proceeding to impeach the queen against the king's consent, we might refuse to try her. My lords, I dare scarcely trust myself to express an opinion against that of my noble friends, whom I so highly respect, and with whom I have always acted in parliament. I agree to the law and constitution as they have ably asserted them, but I deny our situation as they assume it. As to secret committees, I have not changed any of my opinions concerning them. No man in the House has complained of them more warmly, because I thought they were inapplicable to public acts of commotion, and created a great jealousy on that account in the minds of the people; but is it possible to maintain that no committee ought to be secret? and what case that ever existed could, in tenderness to the illustrious person, so loudly call for secrecy? We are to inquire whether any, and what proceeding is to be adopted, and if, as I sincerely hope, we should find that there ought to be no proceeding whatever, the character of the queen will be completely restored and vindicated; whereas, if we should arrive at the same conclusion by a public investigation, a sting would remain that never could be drawn out. There might then be differences of opinion, and malignity might invent them—and if we say there should be a proceeding, it would then be a public proceeding. As to the cause of the delay I know nothing of it. The House of Commons has expressed no difference of opinion from any delivered in this House. It is perfectly notorious that there has been a negotiation to avert so painful and afflicting an inquiry, which has only been frustrated by her majesty's arrival, and by her own acts, as I have heard them represented; and if these acts are likely to be reconsidered, humanity, honour, and justice ought to unite in rendering them practicable; and if, therefore, when Tuesday comes a glimpse of hope shall remain that the whole proceeding may be averted, another adjournment may take place; but after the ground on which the ballot was originally resisted, I cannot consent to say that we were in the wrong in adopting it, when I feel we were perfectly in the right.

The Earl of *Rosslyn* said, he would endeavour to bring back the attention of their lordships to the true state of the business, and he was not desirous to notice that part of the speech of his noble friend, which chiefly appeared to him to be an argument growing out of the debate that passed yesterday, farther than to set him right with respect to what had taken place because he conceived there was not one word which he then heard uttered on this subject that conveyed any wish either to refuse such proceedings as it might be deemed fit to adopt at a proper time, and after due consideration, or to deprive his majesty, or any other individual, of any relief or remedy that might be devised when the case was investigated. The argument, as he understood it yesterday, was, to persuade their lordships not to place themselves, by any act, in a situation that must embarrass them, if a judicial proceeding were begun by the other House of Parliament. They were called on, not to adopt any proceeding that might seem to imply the prejudging of a case with respect to which they were to be the ultimate judges; and, therefore, it was argued, that they ought not to proceed with any examination, or to offer any opinion, either of which was likely to have the effect pointed out. Another argument was, that the proceedings of the two Houses of Parliament ought not, in any degree, to be placed in competition. These were the observations made yesterday; and the proceeding then determined on could not now be retracted The course of proceeding pointed out today was by no means intended to undo what was done last night; and neither of his noble friends, in the course of their observations, had said any thing that could lead to an opinion that they wished their lordships to retrace their steps. The state in which they stood was this—they had either heard circumstances, or they had learned that an opinion was entertained that by a short delay that House might be spared the painful necessity of entering into the discussion of this question, and the still more painful necessity of a public examination of this most disagreeable subject. Under these circumstances all persons, he believed without exception, had agreed that the delay of a few days would not be objectionable. He apprehended that not the smallest objection could be offered to the practical result of such an arrangement. The question, therefore, was merely as to the mode of their own proceedings—whether they would fix the ballot of the committee for Monday, or go on with it to day, and adjourn the farther proceedings until Monday. The benefit that would result from a short delay being admitted on all hands, he could have no objection to the proposition of the noble baron opposite, and he would therefore acquiesce in his motion. He apprehended that by suspending all the proceedings, in the hope—he knew not with what probability of its being realised—of an amicable arrangement taking place, their lordships would stand acquitted in the eyes of the country. It would, he conceived, be better to let the ballot stand over to the day mentioned by the noble baron; and then, having weighed the events which might occur in the interim, they could decide whether it might be necessary to proceed farther or not. As a hope seemed to be entertained, that their acting farther in this business might be rendered unnecessary, he conceived that the suspending their proceedings, the moment it was admitted that such was the acknowledged feeling of the House, would be more respectful to all the parties, more respectful towards the public, and more consistent with the sense of their own dignity and honour, than to go on with proceedings, which, although they had been begun, they would not perhaps be able to carry to any practical or useful end.

Lord *Ellenborough* saw little difference in the two modes that were proposed. It was of little matter, with respect to the dignity and consistency of their proceedings, whether they adjourned the appointment of the committee, or, having appointed it, adjourned its proceedings. He, however, wished that the committee should now be balloted for, and that it should be directed to meet on Saturday. He proposed this course, because he was convinced that, if there was any chance of a successful arrangement, it could only be obtained by their lordships showing an absolute determination to proceed in the course agreed to yesterday, if between this day and that which he had mentioned, an amicable adjustment was not effected. It was impossible that the negotiation could be drawn out to any great length and he was sure that it would be shortened by the means which he now pointed out. In his opinion a satisfactory arrangement could only be obtained by proceeding in that manner.

The Earl of *Donoughmore* said, so many allusions had been made to what had passed in another place, that it almost looked as if the members had been transposed from the one House to the other. In the place to which he alluded, they thought they had not sufficient reason to proceed, and they adjourned the debate; but undoubtedly that was no reason that should induce their lordships to stay the proceedings. This was not all, however; the subject was now treated as if their lordships had also adjourned the debate yesterday, for they had heard no arguments from his noble friends this evening that had not been urged in the course of their speeches last night. And why were they called on to pause? Truly, because in the other House of Parliament the debate had been adjourned. What reason had been laid before them to alter the course of their proceedings, which had been so solemnly decided upon last night—decided too by so great a majority, that those who differed in opinion from that majority did not think it proper to call for a division? What sort of argument was advanced, in order to induce them to depart from the proceeding originally contemplated? He had heard none, except that a different course was taken in another place. It would not be at all material to quarrel about a day, or two days, or a week, in the decision of the present question. Every noble lord he was sure, wished it should be placed on a proper, decent, and constitutional footing, agreeably to the feelings of both the illustrious personages, and therefore in unison with the sentiments of all those who could boast of any degree of delicate and honourable feeling. On this ground, he should have no objection to give as much time to the consideration of their proceedings as could with propriety be called for; but he asked, what individual argument, what reason, in the smallest degree forcible, had been laid before their lordships to grant an extension of time on the present occasion. They had nothing to do with what had occurred in the other House: an allusion to what passed there, if used as an argument was most untenable and most unparliamentary. He must say, that if they altered the proceeding which they had last night agreed to, namely, that of balloting this day for a committee, they would do so on no good parliamentary ground, but merely because they chose to truckle and bow down to the other House of Parliament. Were they, because the other House had thought fit not to come to an immediate decision as their lordships had done, to say, "Oh! now we cannot venture to proceed, the other House of Parliament having suspended their judgment and postponed the debate, as they do on many other occasions, to another day." It seemed, because the members of the other House had not made up their minds, or for some other reason had postponed the debate, their lordships were, therefore, to stop a proceeding, the most solemn, perhaps, on which that House had been called on to decide, taking into consideration the illustrious personages concerned, for many ages past. They were called on to forget their duty to themselves, to the importance of the subject under discussion, and the high dignity of the individuals connected with it, by immediately adopting, not the course of proceeding, not the opinion of the other House of Parliament—for they had expressed none—but merely adopting the postponement of that which they had previously agreed to perfect. They surely would not be induced to do so, because the simple fact had been stated, that the other House had not come to a decision on the subject, on which their lordships had last night promptly decided.

The Marquis of *Lansdowne* said, that as a reproach had been cast against his noble friend near him and himself, on account of what had fallen from them, he felt himself called on to say that the accusation was not well founded. He, in common with the rest of their lordships, had a right, he conceived, to give an opinion on every part of these proceedings. Neither he nor his noble friend had expressed any desire to thwart the proceedings which had taken place in the House last night. It would be recollected, that he had not proposed to change that proceeding, which could not now in fact be recalled. He had risen to express an opinion in favour of the proposition of the noble baron opposite, who suggested the propriety of suspending the ballot till Monday. The noble earl opposite wished also that the proceeding should be suspended, but in another way. Nothing was, however, said by any noble lord, as to the propriety of altering the course which had been marked out last night. What he had said referred entirely to the comparative benefit that was likely to be derived from one of the modes proposed by the noble lords opposite, both of whom —he would not say, on account of what occurred in another House last night, lest he might incur the reproach of his noble friend who spoke last—seemed to have been impressed at the same moment with the necessity of suspending that course of proceeding on which, last night, their lordships had determined to act. What he had argued (and after what he had heard, his opinion was greatly strengthened, since the same feeling was expressed by the noble baron and the noble earl, and appeared to be participated in by the whole House) was, that the proceeding should be suspended. It was more consistent, he conceived, with true dignity, to express that feeling on the first occasion, instead of making believe, by the appointment of a committee, that they were determined to go on, although circumstances might occur which might call on them to undo all that had previously been done. There was more dignity, he conceived, in taking the best means that occurred to them to prevent this committee, if possible, from sitting at all, than to hurry on the proceeding without making such an effort. He lamented that he differed from his noble friend, but he wished him to understand distinctly what the grounds of that difference were.

Their lordships then divided: Contents, present 82.—Proxies, 26—108: Non-Contents, present, 26—Proxies 3—29.—Majority for the earl of Liverpool's motion, 79. A committee of scrutiny was then appointed to inspect the ballotting-glasses. In a short time they returned to the House, when their chairman, the earl of Shaftesbury stated that the majority of suffrages had been given to the following peers:—The Archbishop of Canterbury, the lord chancellor, the lord president of the council, the duke of Beaufort, the duke of Northumberland, the marquis of Lansdowne, the marquis of Buckingham, the earl of Liverpool, the earl of Donoughmore, earl Beauchamp, viscount Sidmouth, the bishop of London, lord Redesdale, lord Erskine, and the earl of Lauderdale. The committee were ordered to meet on Tuesday next.

HOUSE OF COMMONS.

Thursday, June 8.

PETITION FROM WESTMINSTER AGAINST THE ALIENS REGULATION BILL.] Mr. Bennet presented a petition from the inhabitants of Westminster, setting forth, "That the petitioners, the there-undersigned inhabitants of the city and liberties of Westminster, loyal and dutiful subjects of his majesty, not more anxious to preserve their own freedom and happiness than, as far as in them lies, to maintain the dignity, and provide for the permanent security of his majesty's Crown, cannot refrain from humbly expressing to the House their conviction, that any act which in time of peace shall invest the ministers of the Crown with the absolute power of sending aliens out of the kingdom, at the sole pleasure of those ministers, is contrary to the principles of that constitution under which the petitioners and their ancestors have so long been the envy of the rest of mankind; that the petitioners would think it right, under any circumstances to petition against the passing of such an act, but that, under the present circumstances, when, as the petitioners perceive, proceedings of a judicial nature, under the advice and on the responsibility of the ministers of the Crown, are about to be commenced against an illustrious personage, on account of acts alleged to have been committed out of the kingdom; under such circumstances the petitioners think it their indispensable duty most respectfully to represent to the House, that, if such act be passed, the said ministers will have it in their absolute power to keep out of the country, or to send by force out of the country, every foreigner who may be able and may be disposed, or who may be suspected of being able and disposed, to give evidence in vindication of the accused party, while the said ministers will also have the absolute power of giving secure and peaceful residence to all foreigners who may already be in the country, or who may hereafter be invited to come into it, and who may be known or suspected to be disposed to give evidence against the illustrious party against whom the said ministers have advised the afore-mentioned proceedings; therefore the petitioners most humbly pray, that the House will be pleased to refuse their assent to any such act, or that, if any act of the kind be passed, the House will be pleased to provide, by means best understood by the House, that the said act may not operate to the injury of any persons who may be parties in judicial proceedings."

Ordered to lie on the table.

LANDLORDS AND TENANTS BILL.] Mr. *Tennyson* rose, pursuant to a notice he had given, to ask for leave to bring in a bill "for enabling Landlords more speedily to recover possession of Farms, unlawfully held over by Tenants," and he trusted the House would give him credit for being aware of the difficulties and embarrassments which surrounded him in approaching a subject, which had at different periods been ineffectually undertaken by persons infinitely more competent to the task than himself. Imputations of inconvenient delay, and of expense disproportioned to the object of litigation, had been frequently, and freely applied to the administration of the law in this country. There was some compensation, perhaps, in the diminution of suits, and the compromise of differences, necessarily consequent upon the unwillingness of parties to engage in dilatory and expensive proceedings, yet, in cases where an indisputable right existed on the one hand, which was fraudulently or forcibly withheld on the other, and where it was absolutely essential for the common purposes of substantial justice, between man and man, in the ordinary and unavoidable transactions of life, that some determination of a matter in dispute, should be arrived at by judicial means,—disproportionate expense, and a delay which frustrated the object of the suit itself, became grievances of an intolerable nature, which when found to have place, loudly called for the prompt interposition of an enlightened legislature. If this proposition were generally true, that truth was the more striking, where the evil affected those large classes of the community, on a well-ordered establishment of the relations, among which, the domestic economy, and general welfare of the country were mainly dependent. There was also another, and a more just and enlightened mode of diminishing the quantity of litigation, than that arising in the way he had described; namely, by providing a remedy for wrong, so ready, and so accessible, that the wrong doer, not perceiving the advantage of delay likely to be obtained by defending a suit justly instituted against him, would decline engaging in a conflict which was to produce to him nothing but immediate discomfiture and certain expense, and would accordingly yield to the first demand. These observations applied with peculiar force to that description of cases, which he had to introduce to the notice of the House:—the cases of lands held over by refractory and insolvent tenants after the expiration of their interests. Of the two mischiefs he had stated, expense and delay, the latter was the most felt with respect to farms and other large tenements, on account of the excessive damage, particularly in the case of farms, which frequently resulted from it; while the former operated most vexatiously as to cottages, and small houses in large towns, occupied frequently by lawless persons, where the expense of proceeding by regular course of ejectment, frequently exceeded the fee simple value of the tenement itself. The diminution of this undue expense with respect to small tenements, he should hope to effect by a future distinct measure, whereby he should attempt to provide a more summary and cheap remedy, analogous to one of which Ireland already had the benefit. The advantage of what he now proposed would be most felt in the cases of farms and other considerable occupations, though, if permitted to extend to all descriptions of tenements, it would, he thought, with respect to all, be found productive of very beneficial results. With regard to farms, it had become a notorious practice for a tenant, who was not provided with a farm to remove to, or who found himself in insolvent circumstances, and especially for one whose tenancy determined at Lady-day or May-day, to hold over the possession till the latest possible period, namely, till Michaelmas term in the November following. In order to effect this, he appeared to, and defended the ejectment which was brought against him; but, which could not be tried till the summer assizes. The landlord then, indeed, obtained a verdict, but according to the present course of process, he could not regain possession till the term in November. Now, in the first place, the landlord had, in all probability, entered into an agreement for a lease to a new tenant, who must quit his former farm, and who being disappointed of his new one, had cause of complaint and action against the landlord. In the next place, when the landlord recovered possession, all the crops and produce of the year were swept away; but what was worse, irreparable waste and damage were often committed by the ploughing and cropping old pasture lands, and excessive cropping of others out of due course. Again, it was not till the spring assizes of the ensuing year, that an action for mesne profits and waste, and dilapidations, could be brought to trial, and then the tenant had perhaps absconded, or gone to gaol, and no effects could be found on which to levy the damages recovered. It very frequently happened, however, that the landlord did not think it worth his while to sue for mesne profits and wastes, owing to the apparently insolvent condition of the tenant, who thus accomplished with impunity all this undue advantage to himself, and all this mischief to his landlord. The existing state of the law too, furnished to the tenant the means of extorting considerable sums of money from the landlord, who, aware of the tenant's power, was glad to get rid of him on these terms. This was a general account of the evil as it applied to farms, and which in a qualified degree was applicable to tenements of other descriptions. In framing the remedy which he should venture to propose, he had on the one hand anxiously kept in view the propriety of reserving to the tenant, the means of trying all real questions between him and the landlord, by the verdict of a jury, while on the other, he had endeavoured to protect the landlord against the frauds which had been practised, by providing him with some security for the responsibility of the tenant, in case he should persist in maintaining possession contrary to the opinion of the court, which might call upon him for that security. The mode he had devised, when divested of its legal forms and machinery, was simply this:—that when the tenancy was determined either by the expiration of the lease, or in the case of a tenancy from year to year, by regular notice to quit, and the landlord had commenced his action of ejectment to recover possession, the court in which it might be brought, should be impowered, upon the application of the landlord, if after strict proof of all the necessary facts and hearing the parties, it should be of opinion against the tenant, to call upon him to find bail to answer the costs of the action, and the damages which might be recovered against him for mesne profits. If he should fail to appear or to find bail, then judgment to be immediately entered up for the landlord. The consequence of those proceedings would be, that the landlord would either obtain early possession, or if the tenant found the bail required for the purpose of trying his right by the verdict of a jury at the next assizes, the landlord would be furnished with some security against material fraud and loss. It would be observed, that the tenant would not be called upon to find bail unless the opinion of the court were decidedly against his claim to retain possession, upon hearing the affidavits and argument; for if it should appear that he had fair grounds, or the case were doubtful, the landlord would be left to pursue the action in the ordinary course; and he trusted it would be thought that he had made a sufficient reserve for the tenant of the benefit of trial by jury, since, by finding bail, he might still, notwithstanding the opinion of the court, keep the landlord out of possession until a verdict passed against the tenant at the assizes. In that event, however, he had not thought it right to leave him the undue advantage which the law now gave him of retaining possession till the November following, but he had provided for immediate possession being given to the landlord, who would thus obtain it (as in the case of an arable farm was most important), before the corn harvest, if the result of this second hearing were adverse to the tenant,—satisfactory means, however, being reserved to him of obtaining a new trial.—The only other material alteration in the law which he proposed by the present bill was, that the jury might by the same verdict by which the possession was adjudicated to the landlord, give damages for mesne profits, in order to supersede the necessity and inconvenience of a subsequent suit, which, as he had shown, was too frequently abortive. In order still further to meet the objection which might remain to exposing parties whose credit or whose case might be such that they could not find the bail required, to the hazard of being wrongfully evicted without the verdict of a jury, and effectually to guard against the possibility of titles being brought into question by this mode of proceeding, he had also provided, that the operation of this bill should be limited to holdings under leases or agreements in writing. Accordingly, there was perfect security for the case brought before a court being actually one arising between landlord and tenant, and as the writing would necessarily show the commencement and duration of the tenancy, very little would be left in any case, for the peculiar province of a jury. This incidental advantage also would result; the anxiety of landlords to bring their property within the operation of this bill would materially diminish the number of parole tenancies, which had ever been a fertile source of litigation. He had now imparted to the House the substance of what he at present proposed. If it were satisfied that a grievance requiring redress in fact existed, it would, he trusted, entertain the question, by permitting him to bring in this bill, leaving the nature and character of the remedy to be discussed, and after it should have had the benefit of a matured consideration, to be varied according to the pleasure of the House.

Leave was given to bring in the bill; which was accordingly brought in, and read a first time.

Irish Protecting Duties.] The House having resolved itself into a committee on the Irish Protecting Duties,

The *Chancellor of the Exchequer*, after adverting to several protecting duties which had been granted to various branches of Irish trade by the act of Union, and which would cease in the present year, declared it to be his intention to move that those duties should be further continued for a time to be limited. This proceeding was rendered necessary by the present state of Irish trade and manufacture. He then moved the following Resolutions: 1. "That it is expedient that the duties payable under two acts made in the parliaments of Great Britain and Ireland respectively, for the Union of Great Britain and Ireland, on certain articles the manufacture of either country enumerated in the Schedule No. 2 to the said acts respectively annexed being 10*l.* per cent on the true value thereof, be further continued till the 1st of Jan. 1825; and that three fourth parts thereof be further continued till the 1st of Jan. 1830; and that two fourth parts thereof be further continued till the 1st of Jan. 1835; and that the remaining fourth part thereof be further continued to the 1st of Jan. 1840, when the whole thereof shall finally cease and determine. 2. That the duties payable under the said acts on the woollen manufactures of Great Britain and Ireland, imported from one country into the other, be further continued till the 1st of Jan. 1825; and that three fourth parts thereof be further continued to the 1st of Jan. 1830; and that two fourth parts thereof be further continued to the 1st of Jan. 1835; and that the remaining fourth part thereof be further continued to the 1st of Jan. 1840, when the whole thereof shall finally cease and determine. 3. That the duties now payable on salt, hops, and coals, imported into Ireland from Great Britain, shall continue payable until further provision be made by parliament with respect to such duties."—The first resolution being put,

Mr. *Ricardo* said, he was glad to see even that the time was to come when the country would rouse to those right principles, from which there never should have been any deviation; and hoped, that when the question of bounties with respect to linen, was brought forward, a proposition would be adopted to limit the existence of those bounties also to a certain period, as they were quite as objectionable, upon principle, as the duties referred to in the resolutions before the committee.

Mr. *V. Fitzgerald* concurred with the general principles of the hon. gentleman, but he perceived that the hon. gentleman himself was not prepared to apply those principles to Ireland. The situation of Ireland was, indeed, very peculiar, as far as related to the provisions of the Union, for the protection and encouragement of the manufactures of that country. Whether the duties under consideration were calculated to afford valid protection to the Irish manufacture or not, was a question which he would not now discuss, but he maintained that it was not contemplated by the articles of Union that those duties should terminate in twenty years, and that to withdraw them suddenly would be productive of serious inconvenience and injury in Ireland. There were other duties which it was the intention of his right hon. friend to propose, and which were of a different nature from that referred to in this motion. He meant the duties on coals, hops, and salt; and of the first he could not approve—because he thought an article so material to the Irish, as fuel, should not be subject to such a duty. He did not, however, intend to oppose his right hon. friend's proposition, particularly from a consideration of his liberality towards Ireland, but still he must express a wish that the duty to which he alluded was reduced, although he admitted that its amount was not altogether very onerous.

Mr. *J. Foster* observed, that the duties alluded to were protecting duties for England as well as for Ireland; and expressed a difference of opinion from his right hon. friend with respect to the duty upon coals.

Mr. *Ricardo* considered those duties injurious to Ireland as well as to England, especially in the intercourse between the two countries.

Mr. *J. Foster* declared himself an advocate for the total removal of all obstacles to the commercial intercourse between England and Ireland. He thought that the custom-houses between the two countries should cease to exist—that the interchange of their productions and manufactures should be entirely uninterrupted—that, in a word, the passage across the Channel should be as free and unembarrassed as that from one town to another in either country. It was, indeed, most vexatious to think, that every man now passing from the one country to the other was liable to have, not only his portmanteau or trunks, but even his person and the clothes he wore rigidly examined by custom-house officers. Such a system ought not to be allowed to exist.

The resolutions were then put and agreed to.

HOUSE OF LORDS.

Friday, June 9.

Royal Marriage Act.] Lord *Holland* rose to solicit their lordships attention to a notice which he wished to give for Monday next. It was his intention on that day to introduce a bill for the repeal of the 12th of George 3rd, commonly called the Royal Marriage act. He was aware that it was very irregular, in the mere notice of a motion, for him to state the reasons which induced him to bring forward the subject; but he hoped their lordships would indulge him while he briefly explained the grounds on which he thought it necessary to name so early a day as Monday for the consideration of so important a subject. He chose that day because, exclusively of the many and forcible general reasons which induced him to wish to see that act expunged from the Statute-book, he hoped it might now be possible, that when the subject came to be considered in all its bearings, particularly with reference to the unfortunate difficulty in which the royal family was placed, it might suggest, to those better qualified than he was for such a task, some means by which a legislative measure divested of all penalties, and calculated to remove that difficulty, could be adopted. If such a proceeding should appear practicable, their lordships would be spared the necessity of directing the committee they had appointed to proceed with its painful duty on Tuesday, because, in the view he had taken of the subject, if a measure of the kind he had alluded to could be adopted, it would be one capable of relieving two illustrious persons from the painful situation in which they are placed, and would do so without any disparagement to the character or reputation of either. He therefore intended to bring the question under their lordships consideration next Monday. But in the mean time, should any thing occur which might render the necessity of his motion for the repeal of the Marriage act less pressing, he would think it right to postpone any deliberation upon it until another occasion. He wished further to observe, that in adopting this course of proceeding he acted entirely on his own opinion. He would not say that he took that step altogether without the knowledge of others, because the habits of his life led him to communicate all he did to his friends; but he had acted without the concert of any persons who enjoyed in any degree the confidence of either of the illustrious parties.

HOUSE OF COMMONS.

Friday, June 9.

Bankrupt Laws.] Mr. *Finlay* said, that as he saw an hon. gentleman in his place, who had paid great attention to the present system of Bankrupt Laws, he would take the opportunity of asking him whether he intended to bring forward again the alterations which he thought it advisable should be made in them.

Mr. *J. Smith* said, that it was his intention to persevere to a certain degree in the measures which he had proposed on a former occasion, and to bring forward either a bill or bills to correct the evils of the present system of the bankrupt laws. He was placed, however, in a situation which prevented him from bringing them forward at present. From a communication which he had received from the first legal authorities in the kingdom, he had learned that many of the evils to which he had called the attention of the House could be remedied by the authority of the lord-chancellor. He was likewise given to understand, that not only was that noble and learned personage willing to exercise that authority, but that he was even then engaged in drawing up the necessary orders to remedy them. He was well aware that the authority of that noble and learned personage could not remedy the whole of them; but he thought he should not be justified in bringing any specific plan before the House until he saw the orders of the noble lord, and the manner in which they met or avoided the present evils.

Motion for a Secret Committee on the Papers relating to the Conduct of the Queen.] Lord *Castlereagh* rose for the purpose of moving that the order of the day for "referring the papers presented on Wednesday last to the House to a secret committee, to consider the matter thereof, and to report the same, with their observations thereupon, to the House," should be then read, in order to its being further adjourned till Monday next [Cries of Hear!]. In making that proposition to the House, he thought it right to state, that he made it in consequence of a proposition which had been received at a late hour that day by the earl of Liverpool. As it had been received at so late an hour as to prevent an answer from being given to it previous to his coming down to the House, he trusted that the House would see the necessity of not calling upon him to communicate to them the nature of it. There had been no impression made upon his mind by the communication to which he alluded that led him to alter the caution which he had formerly given the House on this subject: that caution was, that they should not allow their minds to be biassed by the negotiations which were taking place, but should consider matters to stand in the same relative situation that they did before [Hear, hear!].

Mr. *Brougham* concurred with the noble lord in the import which he had given to his present motion. It was with a view to have matters kept for Monday in the same state as they were at present, or rather as they were on the last night of adjournment. To be explicit, he wished members to act as if every thing was in that state. He wished to add a few words regarding the delay which the noble lord seemed to insinuate to have taken place on his part. The noble lord had said, that certain propositions had not been received till so late an hour in the day that it was impossible to answer them before the meeting of the House. He would inform the noble lord of the reasons of that circumstance. The party from whom those propositions came thought it most important not to begin a negotiation, lest in beginning it she should appear to be making improper concessions, especially also as the other party, who did not commence any negotiation, stood in a situation not to be injured by making concessions. The strong and earnest remonstrances of her legal advisers had, however at a late hour in the day, overcome the reluctance which the illustrious individual in question felt to being the first to negociate [Hear!]; and he therefore trusted that the noble lord would feel convinced that there was no intention either on his part or on the part of his hon. and learned colleague, to take ministers by surprise in sending to the noble earl at a late hour in the day the communication which they had sent him [Hear, hear!].

Lord *Castlereagh* disclaimed any intention of imputing improper delay to the hon. and learned gentleman or his client. He had merely mentioned the lateness of the hour at which the proposition had been received as a reason for the postponement of the present question. As that proposal was still under consideration, he did not think it necessary to explain the reasons why some proposal had not originated from another quarter.

Mr. *Brougham* said, that in the delicate situation in which both the noble lord and himself were placed, a superfluous was better than an imperfect explanation.

Mr. *Wynn* observed, that one of the great advantages arising from the step which the House had taken on the night of the adjournment was this—that no one could suppose that the renewal of the negotiation, come from whichever party it might, was the result of any other feeling than a deference to the wishes of the House of Commons, re-echoed back to it as those wishes had been by every individual from one end of the country to the other [Cheers].

The order for taking the papers into consideration was then further adjourned till Monday.

NAVY ESTIMATES.] The navy estimates having, on the motion of sir George Warrender, been referred to a committee of supply, it was moved by him, "That a sum not exceeding 1,980,566*l.* 3*s.* 11*d.* be granted to his majesty, for further defraying the ordinary establishment of the navy, for the year 1820." The hon. baronet observed, that it was a satisfaction to him to be able to inform the House, that there was a diminution of the expenditure of 114,000*l.*

Sir *M. W. Ridley* said, he had no objection to the grant, and admitted that a reduction to the amount of 114,000*l.* had taken place within the last year. The lords of the Admiralty, and the commissioners for the victualling department, were still as numerous as in the year 1815. He thought that some further reduction could be effected. There was another subject to which he hoped that an answer would be given, relative to the clerks, who having been engaged in men of war, had not been raised to the rank of pursers, and were not, therefore, entitled to half-pay.

Sir *G. Cockburn* explained the causes of the clerks not being raised to the rank of pursers. The number of them was considerable; and if the system of raising their rank was to continue, no end could be put to the number of persons who would require half-pay.

Sir *Joseph Yorke* observed, that nothing was more flat, stale, and unprofitable, than the generality of discussions in that House upon the expenditure of the public money, and especially with respect to the naval estimates of late years. His hon. friend who had just sat down, had stated that there was a reduction of 100,000*l.* in the estimates of this year; but the reduction ought to have been, in his view, much more material, considering that we were now in the sixth year of peace. He animadverted upon what he called the lumping sum of 3,000*l.* allowed for fire, lamps, and postage for the Admiralty, which he thought much more than was necessary. This, indeed, was an item of the naval estimates which he had never been able to understand. Then there was the allowance for superannuations to persons who were healthy and strong, and who were likely long to live, but which they were to enjoy until, according to the modern language, they "ceased to exist." Where were the means of defraying such expense to be found, as money was so scarce? The noble lord (Castlereagh) might make one of his consolatory speeches, and tell the House that a considerable saving would in time be made on this head, by what, in the modern language, was termed the "ceasing to exist"; but, notwithstanding this "ceasing to exist," they still found this item of expenditure increasing. But, whatever ceased to exist, the expenditure did not: on the contrary, it appeared to be "the never-dying worm" of this country. How it was to be continued he did not know; and, unless the right hon. the chancellor of the exchequer had laid up treasures for them in heaven, they would be without any, for he was sure they would have none upon earth [A laugh]. With all those burthens, the first cannon-shot that was fired would, in his opinion, reduce the 3 per cents as low as 30; and that would be eaten up by superannuations. How these could be provided for he did not know, unless the chancellor of the exchequer had some private resources; and perhaps he had; but with all the difficulties under which we laboured, we found that situations were doubled, trebled, and quadrupled, in all directions. We had two or three lord chancellors walking about, and commissioners of the navy, commissioners in the Victualling-office, and many others of that sort in abundance; all of whom were very comfortably provided for, and might live a thousand years. What a saving might be made in such things. But none such was meditated, while expense was going on to beautify and adorn the great house at the Admiralty. Again he asked, amidst such public distress and public expense, what was to become of the country in the event of war? He did not mean to say that war was now probable with our great and old rival, as both governments appeared to be on pretty good terms. Neither, indeed, seemed inclined to war; perhaps, because no money was to be found in the exchequer of either.—After objecting to some late arrangements with respect to our dock-yard in Nova Scotia, the hon. member animadverted upon the expense incurred for constructing a wharf near Gibraltar. The order for building this wharf was originally made by that gallant admiral, earl St. Vincent, in 1802, and an expense of 4,000*l.* a year had since been saddled upon the country, making in all 72,000*l.* which had been spent to build a wharf that had not yet made its appearance above water. It reminded him of the child which was growing eleven inches every year, and yet had never come to its full growth. This intended wharf had sums expended on it year after year, and its head could not yet be perceived above the water. It seemed to him that instead of the money going for the wharf, it had been applied to uses not so good. Having now made an opposition speech, he would say something on the other side. He was glad to see the hon. baronet (sir G. Cockburn) looking into the business of the navy, as a great deal of good was to be expected from his capacity, industry, and knowledge of the subject. He also expected much advantage from the superintendence of his hon. friend the comptroller of the navy, who was so well worthy of his place, and who would not, he was sure, allow any expence that could be avoided. But parsimony might sometimes be as unjust and more injurious than expense. For instance, he had been lately at Sheerness, when a tremendous order came down from the Admiralty for the discharge from the yard of 200 navigators; that is, fellows who worked with spades and wheelbarrows, and that convicts should be employed in their place. Thus were suddenly thrown out of bread no less than 200 honest men, who had no means of subsistence unless they contrived, if possible, to become convicts themselves. He had, indeed, heard of strange questions put by these poor men at Sheerness; for instance, whether, if they applied to the noble secretary for the home department, he would make them convicts, or give them the employment and subsistence which convicts enjoyed? He might as well apply to his right hon. friend on the floor to make him a maid of honour [A laugh]. The question, however, of these poor men, was not extraordinary; for the fact was, that rogues and felons were of late much better provided for in this country than honest industrious men; for what a bustle had we about the building and improvement of gaols and the construction of penitentiaries; yet we had 1,500 convicts employed on our coast, who would "rader go to Bottom-house Bay, in de Vest Indis." Yet those convicts were taken such peculiar care of, that if, upon being taken out to work, a cloud appeared, one of Mr. Capper's men immediately exclaimed, "Bring them back, it is likely to rain." Here the hon. member happened, by a movement of his arm, to strike off the hat of a member near him, to whom he apologized, stating that a man was never attended to upon subjects of this nature unless he spoke with vehemence [A laugh].

Sir *T. B. Martin* defended the superannuation allowances alluded to by his hon. friend, and as to the convicts, he stated, that when these people were idle and unemployed, scenes of tumult and vice perpetually prevailed among them, while, through employment, they were rendered industrious and regular. An allowance of 3*d*. per day was granted to each of those convicts, in remuneration for his labour, one half of which was reserved and allowed to accumulate until his final discharge, in order to furnish him with the means of defraying his expenses home, and thus to provide some guard against the temptation to repeat the commission of crime.

Mr. *Hume* observed, that, from the statement of the estimates which he held in his hand, he could not see that the saving in the estimates this year was so large as was stated. He was at a loss to know how such a saving as had been mentioned could be shown. There was a reduction in the total amount of salaries, but this was overbalanced by the excess in the half-pay and superannuations. In the very large items for buildings and repairs, he could see no saving that deserved mention. It was in 1819, 1,145,430*l*.; and in 1820, the sum was 1,142,580*l*. He now wished to call the attention of the committee to the Navy Pay office. He found that the expense in this department was very nearly the same, now that we had only a sum of six millions to pay, as when the payment amounted to two and twenty millions. He did expect that some very considerable reductions would have been made in this department, after the reports of the finance committee respecting it. There were, indeed, some few clerks with trifling salaries reduced, but none of the higher offices were touched. The same objection would apply to the Navy-office. The House had received two reports on the subject of the navy estimates, in one of which a recommendation was given for the reduction of the number of commissioners, but no such reduction had taken place. One deputy-comptroller was reduced, but the allowance for house-rent granted to three commissioners was equal to the salary of the comptroller. He put it to the House whether the same expense in this office was necessary at a time when there were only 15,000 seamen and 8,000 marines kept up, as had been incurred at a time when our naval force required 145,000 men; and yet with this immense difference, the amount of expense at present in the Navy-office was very little less than what it was at the period to which he had alluded. In the victualling office there was the same ground of complaint. The expense of conducting that department was this year 97,287*l*.—a sum not much less than that which was required when we had 1,000 ships in commission. How could the continuance of this enormous expense be accounted for at this period of peace? In the dock-yards also the committee would find that a proportionably extravagant scale of expense was continued. Reductions had been recommended, but none had taken place. Making a comparison of the years since the peace, it would be found that in the sixth year of peace, when every thing was said to be reduced to the lowest peace scale, only a very paltry reduction had taken place. It was now nine months since he had moved for a return of the number of ships employed in the years 1792, 1793, and 1794, and also in the years 1817, 1818, and 1819; but that account had been laid on the table only a few days back. On looking over it, he was surprised at the extraordinary increase which had taken place in building and repairing. From the 5th report of the finance committee, it appeared, that the whole number of ships in the navies of Europe and America amounted only to 169—but the number kept up in this country was 594, of which there were this year 38 not included in the fifth rates. Of this number, there were not more than 112 at sea at a time. With this number, however, the proportion of expense in building and repairs was much greater than at any former period. On looking over the returns to which he had alluded, it would be found, that he was not so very much out in the calculation he made on a former occasion, when speaking on this subject, and when his information was derived from the Journals. In the year 1791 the expense of building and repairs amounted to 440,000*l.* In 1792 the sum was 381,920*l.*; and in 1798, including some improvements which were then made, it amounted to 387,000*l.* Let those sums be compared with the expenses in the same department for the last three or four years, and a mighty increase would be found, though we were now in the sixth year of peace, when we had no shattered vessels to repair, as we should have in time of war. With a number of ships less than we employed in 1801, our expense for building and repairs were—in 1817, 1,139,270*l.*; in 1818, 1,230,990*l.*; in 1819, 1,145,430*l.*; and in 1820, 1,142,580*l.* This enormous increase, though not condemned by the committee of finance, was very well commented upon in their eighth report. The report said—"They" (the committee) "conceive, that the amount and preparation of ships of war must be left to the sound discretion of the government generally, and of the board whose duty it is more particularly to manage this most important department of the state; always bearing in mind, that not ships and stores, and military arrangements, are alone necessary for the safety or the glory of the country in the event of war; but that finances recruited during peace, and wealth and industry generally diffused through the nation by all practicable savings of expense and consequent diminution of burthens, are at least of equal importance, while they mainly contribute towards the happiness and comfort of all classes of society at the present time." He had, as far as it had lain in his power, consulted persons conversant with naval affairs, and he found such persons generally of opinion that very large sums, expended by government, had been and were absolutely thrown away. An hon. baronet, whom he then saw in his place, had stated to the House—at least so he had understood the hon. baronet—that the longer ships remained in ordinary, the better they became; that a ship three years in ordinary was better than a new ship; and that a ship ten years in ordinary would be still more valuable. He really could not coincide in that opinion. It was not his wish to reduce too hastily the force of our navy; he only wished to reduce it to that point which would leave us in possession of twice as many ships of war as could be sent forth by the united efforts of the whole world. He felt confident that whenever the time should come (and he trusted that time was far distant) which should involve us again in war, the sums which we might save in this item of public charge would be far more serviceable in maintaining a contest than the result of those sums expended in the manner in which it was now proposed to expend them. No man could say that 590 ships could be kept up at any thing like a reasonable expense. From the very perishable nature of the wood of which those vessels were composed, the thing was impossible. If the present system were persevered in, the country would find too late, when she came to a contest, that she wanted that money which at this moment she was wasting. An expense of 451,000*l.* was proposed for alterations and improvements in the yards in this very year. We could scarcely do more if we anticipated a war at the beginning of the next. The hon. member concluded with a declaration that he did not seek to shake off, or throw out of employment, the poor and meritorious individuals whose earnings were paid out of the estimates in question; he aimed at reductions less distressing to the individual, and more serviceable to the public.

Sir *T. B. Martin* said, that since the peace, 374 ships of war had been sold, and 178 broken up—a reduction almost equal to the number now remaining. He thought that ministers were open to a charge directly contrary to that which had been urged by the hon. member, and that they had been too hasty in diminishing the strength of our navy. We had now a formidable fleet ready to go to sea at a moment's notice; but those vessels would, from time to time, require repair. There were perhaps some of them that would be fit for service only for three or four years to come; and it was surely better to keep up those vessels as long as they would last than to find ourselves, at the commencement of a war, destitute of a navy to protect our commerce and our colonies. Subsequent to the American war, from the year 1783 to the year 1790, the workmen in the yards were employed three hours a day extra in summer, and an hour and a half in winter, in repairing ships, and putting them again into a condition for service; and, in the course of those seven years, they put out of hand 75 sail of the line, and 78 frigates. The hon. member opposite had spoken of increased expenses. Was it strange that the expense of repairs should be doubled since the period stated, when the price of timber, and of every description of ship-building materials, was trebled? The hon. member then stated, that no fewer than 68 clerks had been discharged from the Navy-office; and an equal number from the Navy pay-office.

Sir *F. Ommanny* said, that such was the reduced state of the navy that he believed no naval officer in that House could go on board a common guard-ship and find men enough on board to man a boat in an officer-like manner. He thought the lords of the Admiralty had not discharged the duty which they owed to the country, in reducing the navy so low as they had done; and said, he was not one of those who believed that the continent was in such a state of security as to justify the dismantling of our army and navy.

Sir *Isaac Coffin* said, that as an hon. and gallant officer had, for once, made an opposition speech, he would make a ministerial speech, and declare, that he thought his majesty's ministers had neglected nothing which could contribute to the happiness and security of the navy.

Mr. *Tierney* hoped that the opposition speech which had been made on the other side the House would produce more effect than those which proceeded from the quarter in which he was standing; and he further hoped that the hon. member who made the opposition speech would follow up that measure by giving an opposition vote. If there were some branches of the naval service in which expenditure had been too profuse, there were others, he thought, in which an undue parsimony had been exercised. A petition had some time since been put into his hands, which could not be read by any man without the deepest feelings of compassion and regret. The petition of which he spoke proceeded from two ladies of respectable family, one of whose ancestors had not long since filled the office of sheriff in the county of Cornwall, and who, by the loss of nearly all their relatives in the military and naval services, were literally so beggared as to be in the high road to a workhouse. These women were the daughters of a gentleman of small fortune, who had devoted his limited means to the education of seven sons, in the hope of their success in the service of their country. Six of these sons had entered the navy, one had gone into the army, and all had lost their lives in the performance of their duty. Worn down by disappointment, the father died of a broken heart; and, after his decease, the only surviving son, who was then an officer of artillery, aided his sisters to the utmost extent of his means; and they endeavoured to eke out a scanty subsistence by keeping a day-school. This young man, however, died at Gibraltar; one of the sisters became ill; they were obliged to give up their little school, and were absolutely left to starve. Under these circumstances the unhappy females had applied to the duke of York, reciting the facts which had been detailed to the House, and asking a pension as the sisters of an officer who had died in the army, stating the names of their brothers, and the services upon which they had been employed. No one who knew any thing of the character of his royal highness could doubt the feeling with which that petition had been received; but it was intimated to the ladies that, under all the circumstances, their application would more properly be addressed to the Admiralty. They did so, and no fault could be imputed to lord Melville for answering, that there was no fund at the control of the Admiralty out of which the petitioners could be relieved; but he would ask the House, if it was honourable or decent that lord Melville should have been compelled to give such an answer? It was not, Mr. Tierney continued, until these ladies had for some time suffered the extremity of penury that their petition had been placed in his hands. He had made the strictest inquiry into their characters, and had received the most ample testimony to their conduct. He had then, previous to presenting the petition, stated the case to an hon. member opposite, and to the chancellor of the exchequer; and he was bound to acknowledge the kind reception which he had experienced, the chancellor of the exchequer having undertaken immediately that the unfortunate ladies should receive a pension from the civil list. It was no longer necessary that the petition in question should be laid before the House; but he should not discharge his duty to the navy, which he ever wished to see the favourite service of the country, if he did not endeavour to establish some provision for similar exigencies. In the army there had been at one time a fund for the aid of sisters, but that was now taken away, and the services both stood in the same situation. He had no connexion with the ladies for whom he had fortunately obtained relief; but he wished that some measures should be taken in favour of similar sufferers. Not that he would lay down a general rule, that the sisters of officers should be entitled to pensions; that would throw too heavy a load upon the public; all he wished was, that a fund should be placed at the disposal of the army and navy boards, to be resorted to only in those cases where a sister had no reliance but upon the protection of her brother; because such a woman stood exactly in the same situation to her brother as a daughter who depended for maintenance upon her father. The want of such a fund was a disgrace to the service and to the country. Doubtless there were many cases in which a father brought up his son to the army or navy, trusting to the success of his son for the safety of his daughter. In such cases, a daughter acquired a most direct and unqualified claim. He would make no motion to the House upon the subject; but, if ministers should be accused of profusion for applying a fund to the purpose which he had mentioned, he, for one, would most cordially lend his aid to their defence.

The *Chancellor of the Exchequer* said, that the statement just made by the right hon. gentleman could not but interest the feelings of the House. He could not agree, however, with the right hon. gentleman as to the expediency of extending the limits which it had been deemed expedient to apply to the granting of pensions. Pensions had increased to so great an extent that it was thought proper to confine them to the wives and immediate descendants of the gallant officers who had fallen in the service of their country. No doubt such cases would arise as that to which the right hon. gentleman had alluded; and, when they did arise, he trusted that they would always, as in the instance in question, be considered to afford fit opportunities for the bounty of the Crown. Still he did not think it advisable to open a door to applications of that description. The army and navy were upon an equal footing; each had their compassionate fund. Certainly, the compassionate fund could not afford relief to that extent which might be necessary in some cases, and particularly in such an instance as that which had been cited by the right hon. gentleman; the assistance of the Crown, however, would not be wanting, where such assistance was merited. As the right hon. gentleman, however, had made no motion on the subject, all he thought it necessary to say was, that the attention of government would be directed to it before another session of parliament.

Sir M. Ridley moved an amendment, that the grant should be reduced 2,000*l*, the amount of the salary of the two junior lords of the Admiralty, which was rejected. —The resolutions was then agreed to. Sir G. Warrender next moved, "That 1,594,480*l*. be granted to his Majesty, for defraying the charge of what may be necessary for the Building, Re-building, and Repairs of Ships of War, in his Majesty's and the Merchants' Yards, and other extra works, over and above what is proposed to be done upon the heads of Wear and Tear and Ordinary, for the year 1820."

Mr. *Hume* asked if it was proper that a transport board should be kept up at Portsmouth, at the expense of 477*l*.; while there was another at Cowes, nearly opposite, which cost 368*l*.? These were parts of the expense of that department, both of which, or at least one of which, he thought might be spared. He had another observation to make. Under the head of "stationery" in the Admiralty Office, he found a charge of 2,000*l*; but the charge under the same head in the Navy Office amounted to 6,900*l*.; and he had been told that this great difference arose from the continuance of an old and irregular practice of charging under the same head various articles of totally a different description. For this, however, he had no certain authority, and therefore he should be happy to hear if it was the practice in the Navy office to charge any other articles than paper, pens, and ink, under the head of stationery.

Sir *G. Warrender*, in reply to the first of the hon. gentleman's observations, observed, that Portsmouth and Cowes were necessary transport stations, as the embarkation of troops for foreign service generally took place at one of these ports. With respect to the remarks on the charge for stationery, the excess under that head in the Victualling and Navy offices over the expense in the Admiralty office was occasioned by the greater number of ships' books, and other articles of the same description, which were required in the former. As far as he knew, however, no articles but such as were generally called stationery, were classed under that head.

Sir *F. Ommaney* said, that if the hon. gentleman was acquainted with nautical matters, he would readily perceive that the necessity of having transport stations both at Portsmouth and at Cowes arose from the obvious circumstance, that the direction of the wind might be more favourable to embarkation at the one place than at the other.

The resolution was agreed to. Upon the resolutions, that the sum of 389,500*l.* be voted for the provision of troops on foreign service, and 245,924*l.* for the transport service of his majesty's navy,

Sir *Joseph Yorke* took that opportunity of asking the chancellor of the exchequer, if sir Robert Seppings had yet received the pension which parliament had recommended last year—he meant, had sir Robert actually touched the cash? He needed not remind the committee that Mr. Harrison, who had been one of the secretaries to the Treasury, had stood precisely in the same situation as sir R. Seppings, and had received a sum of 5,000*l.* over and above his pay as a secretary.

Sir *T. B. Martin* bore testimony to the valuable saving of sir Robert Seppings. His services were beyond all pecuniary reward; and the benefit which the country had derived from those services, was incalculably greater than any sum which could be voted for them. He thought the pension had been too long delayed.

Sir *E. Harvey* said, that no officer in the civil department had ever done so much for the navy as sir R. Seppings.

The *Chancellor of the Exchequer* said, that, upon its being considered that some further remuneration was due to this gentleman for the benefit which the navy had derived from his invention, a communication to that effect had been made to the Treasury by the first lord of the Admiralty. In consequence of that communication, it had been arranged that some provision should be made, by which his family would be benefitted, and he believed that this arrangement had since been carried into effect.

The resolution was then agreed to.

Loan—Ways and Means.] The House having resolved itself into a committee of Ways and Means,

The *Chancellor of the Exchequer* stated, that he should not have occasion to trespass long on the attention of the committee, it having been generally understood, in consequence of a former arrangement, that he should defer any specific explanation of the finances of the present year until Friday next, when, on submitting to the House certain resolutions respecting the sinking fund and the loan, the supply, and the Ways and Means he would enter fully into the subject. All he had now to do was, to state the terms of the loan that had been contracted for on the present day. In recommending its confirmation to parliament, he must observe that it was one of the most advantageous bargains ever concluded between the Treasury and the contractors. The price of stocks had this day coincided precisely with what it was when the loan was contracted for last year; and though last year there was an extraordinary degree of competition, the competition was still greater on the present occasion. The contract, in this instance, was a half per cent more favourable to the public than it was in the former year, although the price of the funds was in each case the same. The 3 per cent reduced annuities were now, as they were last year, at 69. The last price, before that stock was shut, was 70½, from which if they deducted the July dividend of 1½ per cent, it reduced it to 69, which was the present price—the same price, even to a fraction, which the 3 per cent annuities bore last year. The contract for the loan of last year amounted to 142*l.*

18*s.* per cent: in the present year, the contract was concluded at 142*l.* 4*s.* per cent being 14*s.* in stock, or 10*s.* in money, more favourable than the preceding contract. Considering it by the ordinary calculation of the price of stock, the contractors had taken the loan at nearly 2 per cent above the current price of stock, which was highly beneficial to the public. At the same time that the bargain was so favourable to the public, he thought it was one that would produce a fair profit to the contractor. Looking to the small amount of the loan, the bargain was almost as favourable a one as had ever been concluded by the Treasury. Under these circumstances, he considered it unnecessary for him to take up the time of the House and should therefore move, "That it is the opinion of this committee, that, towards the supply to be granted to his majesty, the sum of 5,000,000*l.* be raised by annuities."

Mr. *Grenfell* expressed his approbation of the loan, which was undoubtedly very favourable to the public. It was always an evidence of a beneficial contract when the premium was moderate. The right hon. gentleman was however mistaken when he said, that this was the most favourable loan that had ever been concluded. Other loans had been more favourable, with reference to the existing prices of the funds when they were contracted for.

The *Chancellor of the Exchequer* did not mean to refer to the present loan as the most favourable that had ever been concluded; but undoubtedly he considered it to be one of the most favourable. He had no recollection of a higher relative price of the funds except in one former year.

Mr. *Ricardo* observed, that the present loan was made on very satisfactory terms. It was impossible, he thought, that it could be obtained at a more favourable rate. He however traced those favourable terms to the recommendation of an hon. friend (Mr. Grenfell) who, some years ago, had advised that the commissioners of the national debt should be allowed to subscribe for the loan to the amount of the balances in their hands. This advice was followed on the present occasion; but if the old course had been adopted, and the loan had been for 17,000,000*l.*, the result would have been very different. Another cause which tended to procure terms so favourable was the smallness of the loan. It was within the power of a great number of persons to bid for a loan of 5,000,000*l.* and therefore the competition for the present loan was much more extensive than usual, and far greater than if it had been for 17,000,000*l.* In consequence of these circumstances, the right hon. gentleman had certainly obtained such terms as must be highly satisfactory to the country. He conceived that no fairer mode could be devised in forming contracts for the public than by open competition. That system, he hoped, would be generally acted on. An hon. gentleman had, on a former night, asked some questions relative to a large amount of exchequer bills, which had been issued by government at par, when they were at a discount in the market. From the explanation of the right hon. gentleman it seemed that they were given in consequence of a contract for a quantity of silver. Now, it was quite evident that the 7*s.* or 8*s.* received by government from the persons with whom the contract was made would be reimbursed by a profit in the price of the silver; they would undoubtedly raise the price to the amount which they were likely to lose. He thought, in this instance too, that the system of competition should have been acted on, and that they should have been purchased in that way. He wished for some explanation with respect to the quantity of exchequer bills relative to which information had been demanded a few evenings ago. A statement had then been made, which his hon. friend, and other gentlemen, declared they did not understand. It appeared to him to be a very mysterious transaction, and he could not make it out. It seemed that a provision had been made for appropriating the growing amount of the consolidated fund. His hon. friend had noticed this, and had observed that the growing amount might be made productive and useful to the public. In consequence of his representation a bill had been brought in some time ago, to enable the public to make use of its growing amount, by which it was provided, however, that they should not borrow more than 6,000,000*l.* from it. But it so happened that this growing consolidated fund was not equal to the discharge of the advances that had been made on it in the preceding quarter. He would thus explain himself:—Supposing this was the beginning of the quarter, that the public accounts were made up, and that there was a deficiency of 3,000,000*l.*; the Bank, in the first instance, made this good; and out of the amount of the consolidated fund in the commencing quarter the Bank was repaid those 3,000,000*l.* Supposing, over and above this sum of 3,000,000*l.*, an equal sum accrued, the public, under the act, would, he understood, have the advantage of those 3,000,000*l.*, since, by its provisions, a sum of 6,000,000*l.* might be borrowed for the public service. This was the system; but how, he asked, was it possible that the public could have the advantage of any part of this growing fund, when in fact it was in debt? It was exceedingly difficult for him to comprehend this. In April, 1819, there was a sum of 2,027,000*l.* so issued for the use of the public; and it was stated that from that period to April 1820, the public had the benefit of that money. But how could they have the use or benefit of it out of a growing consolidated fund, on which there was no surplus whatever, but which, on the contrary, was in debt, and that debt amounting to more than the 6,000,000*l.* which they were by the act of parliament empowered to borrow? As he could not understand this, he would be obliged to the right hon. gentleman to inform the House whether the public had really derived advantage from this 2,027,000*l.* from April, 1819, to April, 1820.

The *Chancellor of the Exchequer* said, that, in the first place, he entirely concurred with the hon. member in applying the principle of competition to all contracts for the public, wherever it could be safely introduced. There might, however, be cases where it would not be practicable to adopt the system. As a general principle it was a good one, and in a variety of instances it was adopted by government. With respect to the hon. member's remark relative to the advances made from the consolidated fund to the public service, the hon. member would understand the matter better by a reference to the 59th of Geo. 3rd, cap. 93, than from any explanation which he could give. He would, however, briefly answer the hon. member's observation. It had been a frequent complaint of different members in that House, that a great profit was made by the Bank, by holding in their hands the growing produce of the consolidated fund, without any corresponding advantage being derived by the public; and various plans had been devised to enable the public to make use of their own money during each current quarter. In 1808, an arrangement was in consequence entered into between the then chancellor of the exchequer, Mr. Perceval, and the Bank, for the advance of 3,000,000*l.* without interest, in consideration of the advantages which they derived from those balances. This arrangement, after subsisting for some years (for it was stipulated that it should remain in force till a certain number of years after the war), expired last year. It was then thought advisable that the growing produce of the consolidated fund should be applied in a different manner—a statement being made by the Bank, that the public money lying in their hands was so small in amount, as not to warrant them to continue the advance of 3,000,000*l.* without interest. In lieu, therefore, of the former arrangement, by which the public had the use of 3,000,000*l.* without interest, a bill was introduced to enable the Treasury to borrow from the consolidated fund to the extent of 6,000,000*l.*, the use of which the public were to have without interest. This was to be paid in any particular quarter, and to be renewed at the commencement of the next quarter; so that, instead of its being a permanent, it was a running advance. To prevent the disadvantage of anticipating too large a sum before the quarter, it was provided that the advances made by the Bank under this act, together with other advances to cover any deficiencies, should not exceed 6,000,000*l.*; and as the advance made by the Bank amounted to 3,400,000*l.*, that sum, and 2,600,000*l.*, making a gross amount of 6,000,000*l.*, remained from that time to the present available to the public. From that period to the present time, the public had had the benefit of 2,600,000*l.* in exchequer-bills, from which they derived very considerable advantage.

Mr. *Grenfell* said, the right hon. gentleman would, he was sure, recollect that, in the commencement of the session in February, 1819, a question arose, during the discussion, relative to the Bank balances, whether the sum of 18,000,000*l.* should not be applied to the public service. In consequence of that inquiry the 59th of the late king was introduced.

But he had never yet been able to understand how a sum of 6,000,000*l.*, or of 2,600,000*l.*, had been, in point of fact and practice, made available, so as to save the public interest on that amount of money. He understood from the right hon. gentleman that 2,600,000*l.* were taken from the growing produce of the consolidated fund, for the service of the public; but it now appeared, that exchequer-bills to that amount, and bearing no interest, were lying in the teller's chest in lieu of this available sum. But how did it happen that this amount of exchequer-bills remained stationary? The consolidated fund must vary every quarter: it might be 6, or 7, or 8 millions; but still this sum of 2,600,000*l.* continued stationary. He had read attentively the act to which the right hon. gentleman alluded, and he thought the practice there recognized advantageous to the public; but he must repeat that he was wholly at a loss to know how the right hon. gentleman could make out his statement that the public were deriving advantage from the use of 2,600,000*l.*, drawn from a fund which was so deeply in debt. With respect to the balances in the hands of the Bank, he had within the last three or four years repeatedly called the attention of the House to them. The system had been altered; but he was one of those who thought that, at a time like the present, some farther benefit might be derived from them by the public, with perfect fairness to the Bank of England.

The *Chancellor of the Exchequer* said, that the 2,600,000*l.* taken out of the consolidated fund were replaced by exchequer-bills without interest.

Mr. *J. Martin* said, that at several different quarters there were seven or eight millions due on the consolidated fund; and yet the right hon. gentleman stated that he borrowed from it. By the act of parliament he could not borrow unless there was a surplus, and therefore he conceived that the statute had been violated.

The *Chancellor of the Exchequer* denied that any violation of the act had taken place.

Mr. *Hume* said, that the authority to borrow 6,000,000*l.* from the consolidated fund would be very well, as long as there was any surplus of that fund; but on the 12th of April it appeared that it was 6,800,000*l.* in debt; consequently, out of that fund none of the sums stated could possibly be taken.

Mr. *Grenfell* said, it would be a most desirable thing if some means were devised to get rid of this deficiency of the consolidated fund. One objection to its continuance was, that it rendered the accounts so extremely complex, that he doubted much whether the right hon. gentleman himself understood them. He did not say this with any intention to offend the right hon. gentleman; but he did most positively know that many persons in official situations in the exchequer declared that they could not master them. When such men as his hon. friends, who had spoken in the course of this discussion, and who were in the habit of inspecting figures and accounts, stated that these accounts were unintelligible to them, something ought to be done to simplify them. The deficiency of the consolidated fund was a blot on the statement of their annual finance. It was clear that there was a deficit of from six to eight millions: he knew that that deficiency was provided for quarterly by the Bank; but it should be recollected that they paid the Bank interest for it. If they even paid a little more interest than they did to the Bank, in order to procure money to cover it completely, it would be advantageous to the public, since it would simplify the system. But if they did not raise the money by loan, and chose rather to issue exchequer-bills, still they would not be paying a greater interest than they now paid to the Bank. He was not sanguine enough to contemplate the period, within any moderate lapse of time, when the increase of the resources of this country would enable them to get rid of this deficiency. If the right hon. gentleman could state that in two or three years such an improvement was likely to take place as would be adequate to the expenditure, and also get rid of the deficiency of seven or eight millions, he would not be averse to giving him the full time.

The *Chancellor of the Exchequer* said, there was one point which might account for the hon. gentleman's observations, which was, that he did not really understand the mode in which the sum of 2,600,000*l.* was borrowed from the consolidated fund. A great many gentlemen of knowledge and sagacity were often puzzled by a simple statement: their own knowledge and sagacity, which led them to unnecessary refinements, operated to defeat the object they had in view. He agreed with the hon. gentleman that it was desirable there should not be a deficiency on the consolidated fund; and he trusted, at no distant time, that such an arrangement would be made, with the assistance of parliament, as would effectually meet the evil. This, however, could not be done in the present year. The hon. gentleman stated the deficiency to be 7,000,000*l.* or 8,000,000*l.*: in this, however, he included the 2,600,000*l.* that were borrowed; so that in fact the actual deficiency was only 5,000,000*l.* He entertained hopes that it would be made good in the course of the next year. If in the next session he found that those hopes were not likely to be realized, he would submit a proposition to parliament relative to a part of it.

Mr. *Ricardo* observed, that on the 5th of July, 1819, there was a deficiency of 8,400,000*l.* "But," said the right hon. gentleman, "you have, without interest, 2,600,000*l.*, for which exchequer-bills have been deposited." This he denied; and he would contend that the public had not the advantage of that sum.

The *Chancellor of the Exchequer* said, if that sum had not been advanced from the consolidated fund, the difference would be, that the Bank would have 2,600,000*l.* of the public money in their hands, during the quarter, which would be employed by them for their own benefit, and not, as now, for the benefit of the public.

The resolution was then agreed to; as were also the resolutions, granting to the contractor, for every 100*l.* money, 100*l.* 3 per cent reduced, and 42*l.* 4*s.* consols. On the resolution being put, relative to the discount to be allowed on an anticipation of the period of payment,

Mr. *Grenfell* rose, and, adverting to the 12,000,000*l.* which it was proposed to take from the sinking fund, demanded whether it would not be better to do away that part of the machinery of the system altogether. The fact was, they borrowed 12,000,000*l.* from the commissioners of the national debt; but they must, in the first instance, advance those 12,000,000*l.*, to enable them to lend it. Now, of what consequence was it to the public whether they granted that sum to the commissioners, to be lent back to them, or retained it themselves, in the first instance? The system was completely absurd, and differed from every thing that was contemplated in 1783, when the fund was established. At present it was entirely nominal and delusive, and had no other effect but to render the finance statements perplexed and unintelligible. The right hon. gentleman had stated, that there was a sinking fund of 17,000,000*l.*; and then, said he, "see what a fine flourishing state we are in." But the fact was, they had no sinking fund left at all. They took 12,000,000*l.* from the fund, and 5,000,000*l.* from the public, the interest of which must come out of the sinking fund; for he understood there were to be no new taxes. For his own part he did not think the loan contracted for this day necessary. If they really had a sinking fund, instead of taking 12,000,000*l.* from the commissioners, it would be better to lay hold of it all, and thus get rid of the delusion. At present, they were only borrowing 12,000,000*l.* from the commissioners, having previously furnished them with the means of lending it.

Mr. *Hume* understood the right hon. gentleman to have said, that he hoped this would be the last loan the country would require for a long time. But how could that be? Were these 12,000,000*l.* to be made up next year? If they were not, and this delusive system were to be continued, the right hon. gentleman might go on borrowing every succeeding year. Such a system could only embarrass the country.

The *Chancellor of the Exchequer* observed, in reply, that he feared there would be much confusion in the supposed simplification of proceedings which had been suggested by hon. gentlemen.

Mr. Alderman *Heygate* believed, that during the war the loans would have been borrowed on worse terms if the public credit had not been kept up by the sinking fund which had been established by Mr. Pitt and Mr. Fox, and ought to be held sacred. No delusion could now prevail upon the subject; for if its nominal amount had been stated at 17 millions, all classes in the country knew that it only consisted of five. With respect to loans, their result was evident. The present he conceived to have been contracted for on terms disadvantageous to the public; for it was done in a stock, the nominal price of which was at a discount of 30 per cent, and that price itself 14 or 15 per cent lower than the stock which might have been created three years ago. It was most important for every man in the country, in whatever trade or profession, to know how the circulating medium was to be kept up. It was the most sacred duty of government to secure the maintenance of a circulation adequate to the taxation of the country. Now, the money which this loan would take out of circulation could only be returned to it on the part of the Bank by purchases of gold, or exchequer bills by discounts. The last mode was inadequate, but he could not conceive what rational objection could exist to the Bank purchasing and selling exchequer-bills as they formerly did, by which means the circulation would be kept up when deficient and reduced when superfluous. He was persuaded the great cause of the present distress of our agriculture and trade arose from the continual reduction of the circulation which had of late been going on, and which tended, by raising unnaturally the value of money, to augment the pressure of taxes, pensions, and all fixed payments. It had been recommended to his majesty's government to issue bills to repay the Bank the advantages of the consolidated fund; but it was impossible to raise a loan to pay the Bank without producing a reduction of the circulating medium, which must be attended with increased distress throughout the country. He would therefore oppose any measure having that tendency. Such a reduction at present was unnecessary, for the price of gold being the same as the mint price, the Bank note was at par. He hoped the right hon. gentleman would state how the circulating medium was to be kept up notwithstanding the present loan. He deprecated the practice of taking loans after five years of peace. He thought the time was come when the country should look her situation fairly in the face; and was convinced that she still possessed sufficient wealth and energy to encounter and surmount her difficulties, without pertinaciously adhering to the ruinous system of borrowing.

Mr. *Ricardo* thought it quite unnecessary for the Bank of England to reduce its circulating medium any further than it was at present reduced. The worthy alderman had said, that gold was now at the Mint-price; perhaps he might have said that it was a little under it; for he knew that many persons took gold to the Mint at the Mint-price, in order to have it coined; and this they could not do if gold was not, in fact, a little under that price, because some space of time must elapse before they could receive the benefit of the coinage. But the worthy alderman appeared to labour under a mistake in supposing that a reduction of the circulating medium would be a consequence of this loan, or repaying the Bank. The reduction of bank-notes within the last year did not exceed 2,000,000*l.*; that reduction of 2,000,000*l.* was all that was necessary to bring about that state of the currency which all had united with the finance committee in desiring to see obtained. Indeed, if the Bank was desirous to follow their own interest, it was a clear and obvious one: if they were to effect a very great reduction in their paper, which he should most sincerely lament, the consequence would be such a rise in paper, and such a fall in gold, that individuals would carry their gold to the Mint, and endeavour to fill up the circulation with it. As to the alarm felt by his hon. friend it was quite groundless, for there could be no fear but that the Bank would keep up a sufficient quantity of notes, as their own advantage depended upon the issue. As to the sinking fund, the argument of himself and his hon. friend had been, "Take away all which tends to delude the country—take away so much of that sinking fund as is not in reality an excess of income over expenditure." Therefore he entirely concurred in the opinions of the worthy alderman, that they should immediately get rid of so much of the fund as, being nominal, was merely a delusion.

Mr. *Hume* observed, that if the worthy alderman would refer to former cases, he would find, that upon occasions when the heaviest loans had been borrowed to the amount of 20,000,000*l.* and upwards, the contracting of such a loan had not withdrawn more than 1,000,000*l.* from circulation. The present loan could therefore have but little effect on it.

Mr. Alderman *Heygate* denied that he ever intended to say that the circulating medium would be reduced to the full amount of the loan; but he was at a loss to know by what channels it would be poured in again upon the public. He should be most happy to find his fears groundless, and that the circulating medium would be kept up; in which case the industry and the revenue of the country might revive.

The resolution was then agreed to.

IRISH PROTECTING DUTIES.] The report of the Protecting Duties (Act of

Union with Ireland) bill was brought up.

Sir *J. Newport* remarked, that some of the duties were extremely oppressive to Ireland and injurious to its commerce. Among the articles materially affected were those of books, pictures, and statues. The effect had almost extinguished the value of copyrights, and annihilated the trade of printing books. Through this, authors naturally sent their works to other parts of the empire; capital was in consequence withdrawn, and in proportion to the amount so withdrawn, the commerce of the country must be injured; he therefore wished the duties might be altogether repealed. The duty on coals was also most severely felt in many parts of the country; and was most injurious to the manufactures and to the poor. He wished these to be gradually diminished.

Sir *H. Parnell* said, that in many cases that which was called a protecting duty was, in fact, a tax upon Ireland, particularly the duty of 10 per cent on British manufactured articles imported into Ireland.

The *Chancellor of the Exchequer* said, he had listened with the greatest attention to the opinions expressed upon this topic from both sides of the House, and particularly from those gentlemen, who as representatives for Ireland were better able to understand the subject than he was. But he found so many jarring interests, and so many conflicting opinions, that he thought it better to take up the subject at a future day upon a general scale, than attempt to discuss minutely a point in which both opinions and interests were at variance. It was his most anxious wish to disembarrass the intercourse between both countries by the abolition of all impeding duties on both sides of the channel as soon as the state of the public revenue would permit. One of his first objects was, to open a free intercourse between the literature of both countries. Others would follow as they seemed most expedient and practicable; and he trusted that before the lapse of many years, those final arrangements so very desirable to every friend of both countries would be adopted.

Sir *John Newport* begged leave to suggest that the most speedy and effectual means of promoting the commercial intercourse between both countries was, to begin by an annual reduction of one per cent on the Custom-house duties of ten per cent between both countries reciprocally; and thus in ten years the whole would be abolished. So persuaded was he on this point, that he would take an early day for calling the attention of the House to it.

Sir *H. Parnell* thought it would be of the highest importance to the interest of both countries to have the commerce of this country thrown open to the whole population of Ireland; and he should shortly call the attention of the House to the subject.

HOUSE OF LORDS.

Monday, June 12.

SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] The Earl of *Liverpool* reminded their lordships of the order which had been made on Thursday, that the Secret Committee should not meet until to-morrow. He had made the motion for that order, not on any specific ground which could induce him to think it necessary, but upon hopes which appeared to be entertained by their lordships. Since that period communications and explanations had taken place on the subject. He was not prepared to say what might be the result of these communications and explanations, but the state of the business was certainly such as to make a farther adjournment of the meeting of the committee desirable. He, therefore, intended to propose that the day of meeting should be fixed for Saturday next. Before he sat down he thought it necessary to observe, that a fabricated account of the correspondence on this subject had appeared, in which the documents were most scandalously falsified, and converted into libels. It was an aggravation of this conduct that it must have been done by some persons who had seen the originals, and who therefore could not be ignorant of the fabrication. It was, however, but justice to say, that no blame could be imputed to her majesty's legal advisers. They had very honourably and voluntarily communicated to his majesty's ministers that they were no parties to the publication, and that nobody could regret it more than they did. He concluded by moving that the meeting of the secret committee be postponed to Saturday next.

Lord *Holland*, after what had passed, did not intend that day to present the bill of which he had given notice on Friday; and in rising now, he meant to do nothing more than to assure their lordships that the bill he proposed to introduce was simply a bill for the repeal of the royal marriage act. Having stated what its object was, he hoped, as some very extraordinary rumours had prevailed on the subject, that their lordships would also indulge him so far as to permit him to state what the object was not. However much, since he had a seat in that House, he had, during the last twenty-five years, on various subjects differed from their lordships, he surely had never done any thing that could lead to so absurd a supposition as that he wished to propose a bill which would have a retrospective effect. He therefore begged leave again to state, that the bill, and the only bill he had in view to introduce, was one for the repeal of the royal marriage act. He could not at present precisely fix the day for presenting this bill, because he was not yet certain as to the state of the circumstances by which he wished to be guided; but he hoped their lordships would not consider themselves taken by surprise if he introduced it before the day fixed for the meeting of the committee. That it should have been introduced some time or other during the present session had always been his intention, independently of any circumstances which had occurred. He again begged their lordships not to suppose that he wished to take them by surprise if he presented a bill in the course of this week on an earlier day than that fixed for the meeting of the secret committee.

The motion was agreed to.

HOUSE OF COMMONS.

Monday, June 12.

Cork Harbour Bill.] Mr. Boswell presented a petition from the ship owners and others of Ayrshire, earnestly entreating that the bill might not be passed into a law. The petition set forth, that the bill would impose an increased expense on coals imported from the county and neighbourhood of the petitioners; that there were already funds sufficient to meet the expenses; and that the proposed measure would affect the little commerce that remained between the coasts, most injuriously, especially the lime and coal trade.

Sir *N. Colthurst* moved the second reading of the bill. He hoped there would be no objection to this motion as the merits of the bill could then be canvassed in the committee up stairs.

Sir *Isaac Coffin* declared himself to be an enemy to all jobs, and such he conceived this bill to be. The people of Whitehaven and its neighbourhood had already taken the alarm, and entertained a strong dislike to the measure; a paper containing some powerful objections to the bill had been put into his hands, and unless those objections could be upset in the committee, he should continue to say "No" to the measure.

Mr. *Curwen* said, he had a petition most respectably signed by several hundred of the inhabitants of Cork, against the measure. This petition he should shortly present. In the mean time, he wished to state that the people of Hull were against the bill. The competition in the trifling branch of trade which was carried on between Hull and the Irish coast, was at present so great, there was little or nothing to be got by it at present; and the bill would render matters still worse. For his part, he considered the principle of the bill so objectionable, that no alterations that could be made in the committee could make it at all palateable. He would therefore move, "that the bill be read a second time on that day three months."

Sir *N. Colthurst* entreated the hon. member not to take the sense of the House in that early stage of the bill. He hoped he would suffer it to go to a committee up stairs.

Sir *James Graham* entered his solemn protest against the bill. From all that he had heard, and all that he had read, he was satisfied that the measure altogether was a most obnoxious and a most unjustifiable tax on the property and industry of those who had no right to pay it. He trusted it would be thoroughly sifted in the committee, and as he was anxious that it should be so sifted, he hoped his hon. friend (Mr. Curwen), would consent to withdraw his amendment.

Mr. Curwen consented to withdraw his amendment. The bill was read a second time, and, on the motion of Mr. Boswell, the petitions against it were referred to the committee up stairs.

Petition of W. A. Beckwith complaining of Damages by Riot.] Mr. *Peter Moore* presented a petition from Mr. Andrew Beckwith, who complained that, in the year 1817, his windows had been broken, his house forcibly entered, and his shop robbed of arms by a riotous mob. He stated that he had made unsuccessful attempts to obtain redress in courts of law, and he therefore prayed for such relief as the House might think proper to grant. He (Mr. P. Moore) conceived that the relief required was pecuniary relief, and therefore that the petition should be recommended to the House by the chancellor of the exchequer.

The *Chancellor of the Exchequer* said a few inaudible words, after which

The *Speaker* observed, that though a petition, praying for pecuniary relief, ought to receive the sanction of the ministers of the Crown, yet that the rule should never be extended beyond the strict necessity of the case; and here, though the hon. gentleman who presented the petition stated that he conceived that pecuniary aid was that which was required by this petition, yet the terms of the petition did not necessarily impose on the House so strict a construction [Hear, hear!].

Sir *Francis Burdett* thought it extremely hard that the petitioner should be deprived of a remedy. The present evil arose out of the anomalous condition of the law. Persons were required to keep the peace, and were punished for not keeping it, though the government, by taking their arms from them, deprived them of the means of keeping it. It was the duty of government, while it punished men for not doing that which it disabled them from doing, to make up and provide a recompense for those losses, which were the consequences of their own new laws.

CALLINGTON ELECTION.] Sir *Charles Burrell* reported from the Committee appointed to try the merits of the Petition against the Callington Election reported,

"That it appeared to the committee that the merits of the petitions did depend in part upon the right of election; and that therefore the said committee required the counsel for the several parties to deliver to the clerk of the said committee statements in writing of the right of election for which they respectively contended: that, in consequence thereof, the counsel for the petitioners, Matthias Attwood and William Thompson, esqrs. delivered in a statement, as follows: 'That the right of election is in persons seized of freeholds, whether resident or not, and in leaseholders, being resident householders, and rated within the borough:' that the counsel for the petitioners, William Hender and others, delivered in a statement, as follows: 'That the right of election is in persons seized of freeholds, whether resident or not, and in leaseholders, being resident householders and rated, and in inhabitant householders paying scot and lot:' that the counsel for the sitting members delivered in a statement, as follows: 'That the right of election is in freeholders of houses or lands within the borough, resident or non-resident, and in beneficial leaseholders of entire tenements, consisting of houses or lands within the borough for years determinable on a life or lives, being resident householders for forty days before the day of election, and rated to the poor at forty shillings at the least:' That upon the statement delivered in by the counsel for the petitioners, Matthias Attwood and William Thompson, esqrs., the said committee have determined, that the right of election, as set forth in the said statement, is not the right of election for the said borough: That, upon the statement delivered in by the petitioners, William Hender and others, the said committee have determined, that the right of election, as set forth in the said statement, is not the right of election for the said borough: That upon the statement delivered in by the counsel for the sitting members, the said committee have determined, that the right of election, as set forth in the said statement, is the right of election: That the said committee have determined, that sir Christopher Robinson, and the hon. Edward Pyndar Lygon, are not duly elected burgesses to serve in this present parliament for the said borough: That Matthias Attwood, esq., and William Thompson, esq., were duly elected, and ought to have been returned burgesses to serve in this present parliament for the said borough: That the petition of the said William Hender, and others, did not appear to the said committee to be frivolous or vexatious: That the opposition to the said petitions did not appear to the said committee to be frivolous or vexatious."

The deputy clerk of the Crown was ordered to attend to-morrow, to amend the return.

GALWAY—RIGHT OF ELECTION.] Sir *J. Mackintosh* presented a petition from the inhabitants of the town of Galway, who complained of some abuses in the management of their corporation. He had no intention to found any motion on the petition at present, except to move that it do lie on the table. He observed that the first sentence of the petition contained one of those lively expressions which, though so familiar to our neighbours, must always appear strange to the duller intellects of the inhabitants of Great Britain. The corporation was described as having been "incorporated by prescription."—Ordered to lie on the table.

SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] Lord *Castlereagh* said: I rise for the purpose of moving the order of the day for the further consideration of his majesty's message, with a view to its postponement until Friday next. In moving this adjournment, I trust the House will feel that it would be unbecoming in me to state any thing that has passed during the discussion, or to say a single word, as on the former occasion, as to the situation in which matters now stand. But I entreat hon. gentlemen to keep themselves and their impressions on the subject precisely in the same state, until a full explanation shall be given as to the position in which the great question may ultimately stand. In proposing to the House Friday next for the postponement of the order of the day, I mention it as the most convenient day. On Thursday his majesty's birth will be celebrated, and it has been usual for the House to adjourn upon that occasion, and I would rather take a later than an earlier period for the further discussion of this important matter. These successive adjournments ought to be viewed, not only as satisfactory to the House, but as material to the public interest, in order that the real state of the question may be made known as early as possible. Before I sit down, I have to beg the noble lord (J. Russell), further to defer the discussion of a question in which he is particularly concerned: any other day would be more convenient than the present, as it will be the duty of his majesty's servants to be in deliberation in the course of the evening. If the discussion to which I refer should be now brought on, I must therefore retire from it.

Sir *M. W. Ridley* said:—I rise to express the anxious hope I entertain that every individual, in the House and out of the House, will so far forward the views of the noble lord, as rigidly to abstain from injuring the cause of either of the illustrious parties, or of the nation at large, by giving publicity to any documents or any correspondence, whether genuine or garbled, which may by possibility fall into their hands. I am sure that I need only mention the circumstance to the House; for every gentleman who hears me will be immediately convinced of the danger that must inevitably arise, from publications which can have only one effect, however unintentional—that of exciting prejudice against one party or the other.

Mr. *Brougham* said:—I heartily concur in the recommendation of the noble lord, and of my hon. friend who last spoke, in wishing to abstain from saying one word upon the progress of these transactions. I rise only to express my entire concurrence more particularly in the latter part of the worthy baronet's observations, and to make my most positive assertion, if it be required, that neither the illustrious personage for whom we are concerned, nor her legal advisers, entertain any other sentiment. It is our sincere desire that every thing should be concealed, or known only to the illustrious personage, and to us three, her majesty's legal advisers. If any other disclosure have taken place (though I have seen nothing disclosed, because I have seen nothing the least like the real state of the facts), it can only have been produced by some incredible degree of indiscretion or breach of confidence, for which no blame is attributable to my learned colleagues or myself, nor to the illustrious personage for whom we act; but it must in fairness be in part ascribed to a circumstance, I am sure, as unprecedented as all the rest of these transactions—that her majesty is placed in a situation which renders it difficult to prevent the access of indiscreet persons [Cheers].

Lord *Castlereagh*.—In the spirit of what has been just said, I may add, that this is a question on which all parties ought to say as little as possible; and I cannot give the House a stronger pledge of my feeling regarding it, than the determination I evinced to pass it over on the present occasion in complete silence. I am happy to hear what has been so properly stated by the hon. baronet and confirmed by the hon. and learned gentleman, regarding publications, though I certainly feel that the latter part of his observation was unnecessary.

Mr. *Brougham.*—I meant nothing, I can assure the House, offensive to any quarter, because I know that offers have been made to her majesty which would have enabled her majesty to be better accommodated—pecuniary offers to an unlimited amount, that the queen might be provided for in a much more suitable style. Thus many of the chances of disclosure to which I alluded might have been removed; but accidently her majesty was placed in a situation which rendered it more difficult, as I said, to prevent the access of indiscreet persons.

The motion was then agreed to.

INSOLVENT DEBTORS BILL.] On the motion of lord Althorp, this bill was recommitted.

Mr. *Bright* proposed a clause for extending the benefit of the measure to Crown-debtors, as well as to other insolvent persons. He could not imagine any good reason why the former should be placed in a worse situation than the latter, or why the Crown should exercise the power of confining the person of its debtor, after he no longer possessed any property. He should therefore submit a clause, exempting Crown-debtors from imprisonment, after a full disclosure, and a discharge of all claims beyond the sum of 200*l.*

The *Attorney General* was surprised that his hon. and learned friend should wish to discontinue a provision which had appeared in all former acts of this nature. Some cases ought at least to have been mentioned, as actually proving inconvenience to have arisen from the former state of the law. Had the commissioners, in the exercise of their discretion, ever been known to refuse indulgence to an honest man? If the law were altered, as it now applied to smugglers, he would venture to state, that the revenue would be defrauded with impunity, as it often happened that when the smuggler himself was not a man of property, individuals on the other side of the water would pay down sums of 700*l.* and 500*l.* in order to procure his discharge—a practice which could not be expected to continue, if he could be released by other means.

Mr. *Bright* said, there were two descriptions of Crown-debtors; one indebted upon civil process, and the other in penalties. He had a separate proposition for this latter class, and could see no objection why, when a penal sum was owing, and the debtor had no means of discharging it, he should not be enabled to bring himself before the court of King's-bench, and there submit, in lieu of the fine, to some more definite punishment. As for the first class of cases, he had not minutely inquired into them; he referred to the general principle of law, and could see no reason why in debts of small amount, the Crown should have an unrestricted power of continuing a debtor in prison. At the same time he had no desire to press his clauses against the general sense of the committee.

The proposition was withdrawn.

PETITION FROM COVENTRY COMPLAINING OF EXCISE PROSECUTIONS FOR SELLING ROASTED WHEAT.] Mr. *Creevey* presented a petition from certain inhabitants of the city of Coventry, sellers of Roasted Wheat; setting forth,

"That the petitioners are poor manufacturers, inhabitants of the city of Coventry; that they and their families have long been suffering from want, approaching frequently nearly to starvation; that for some time past they have used roasted wheat instead of coffee and tea, the wheat being not only much less expensive than the coffee and tea, but being, as the humble petitioners have fully ascertained, much more nutritious and wholesome, and roasted wheat is become an article of very general consumption; that it is not at all times convenient to every family to roast and grind the wheat for their own use; that the humble petitioners, therefore, have for some time past roasted wheat, ground it, and sold it, ready for use, in retail to their neighbours; that this afforded some employment to the humble petitioners, and gave a small additional portion of food to themselves and their distressed families; that, to the great surprise and alarm of the poor and humble petitioners, they were in April last served at the suit of the attorney general, with writs in the king's name, and witnessed by the chief baron of the Exchequer, commanding them to appear before the barons of the exchequer at Westminster, on the 15th day of May last; that they did so appear in person; that they were told by the said barons that they must employ lawyers to appear for them; that the humble petitioners answered that they had no money to employ lawyers; that the barons then retired and left the petitioners; that the petitioners served the clerk of the court with a notice to record their appearance; that the said clerk refused to do this, and that the humble petitioners are now threatened by the supervisor of the excise at Coventry, that unless they employ lawyers to put in appearances for them, their persons will be taken in custody, and that they will be sent to prison; that the humble petitioners being wholly destitute of money, cannot employ lawyers, and that they are in constant fear of being taken away from their homes, while their helpless families will be left to starve, or to be put in the poor-house; that the humble petitioners have never sold the wheat as being any thing other or more than wheat; that they are well assured that there is no law in England forbidding the sale of roasted wheat; that, so far from thinking that they were committing a crime, they thought that they were doing a praiseworthy thing in promoting the use of a nutritious and wholesome beverage, consisting solely of the produce of the land of their own native country; that they believe, that if roasted wheat were used in all families instead of coffee and tea, the consumption of the whole kingdom, at a quarter of a pint a day in each family, would amount in a year to upwards of four millions of bushels of wheat, requiring upwards of two hundred thousand acres of land to grow it on, giving employment to forty or fifty thousand of the now unemployed and distressed agricultural labourers, and yielding to the owners and cultivators of the land more than two millions of pounds; and that, in using their feeble endeavours in promoting such an object, while they added a little to the food of their almost starving families, they little thought that they were committing a crime against his majesty, for which his attorney general would prosecute them; that the humble petitioners therefore pray the House to be pleased to take their sufferings into their compassionate consideration, and to relieve them from the perils that surround them and their miserable families, by passing an act to remove all doubts respecting their right to sell roasted wheat, or to adopt such other measure as shall seem fit to the House."

The petition was ordered to lie on the table, and to be printed.

HOUSE OF LORDS.

Tuesday, June 13.

SCOTCH PEERS.] The Earl of *Rosebery* rose to move the second reading of the bill for regulating the right of voting at the election of peers to represent the peerage of Scotland. He observed, that neither in the acts of parliament relative to the election of Scotch peers, nor in any of the resolutions come to at different times on that subject by their lordships, was there any provision for the evil which the present bill was meant to prevent. The object of the bill was, to guard against cases of unqualified persons assuming the right of voting, there being no power to reject their votes at the time. He appealed to noble lords who knew the practice, whether it was not the fact, that scarcely an election occurred in which persons did not vote, who, in the opinion of every one present, were not entitled to give their suffrages. It was proposed by the bill to exclude from voting (with some exceptions) all persons who claimed as succeeding to deceased peers, until they had made out their titles. This would prevent the intrusion of individuals, who, from vanity or worse motives, often interfered in those elections. The right of petition and redress would, of course, be open to those who might consider themselves wronged. The inconveniences of which he had spoken would not occur at the election for the peers of Scotland, if the same provision had been made respecting them as exists with regard to the Irish peers. No Irish peer, not even the direct descendant of a deceased peer, is allowed to vote at the election of a peer to sit in that House, until he has fully made out his title. He did not mean to interfere with the claim to vote where the right was obviously undoubted. The bill, therefore, as far as regarded direct descendants, left the practice as it now stood, and only required collateral descendants to make out their titles.

Earl *Cathcart* thought that the object which the noble lord had in view might be more conveniently obtained by a resolution of the House. He concurred, however, in the necessity of some regulation being applied to the practice which at present prevailed.

Lord *Melville* did not oppose the bill, which, under all the circumstances connected with the elections of Scotch peers, was, he thought, entitled to their lordships approbation. How far the object could be obtained by a resolution he was not certain. He was afraid it could not; but if, on further consideration, their lordships should think such a course practicable, it might hereafter be adopted. With regard to the clause of the bill allowing direct descendants to vote, he approved of it, but questioned whether it might not be advisable to give the same right to brothers of peers as to sons of peers.

The Earl of *Lauderdale* approved of the object of the bill. Such was the practice at the election of Scotch peers, that he could at any time procure fifteen or sixteen votes, which would be good for the time, though protested against. He did not think it competent to the House to attain the object of the bill by a resolution. He believed it would not be necessary to insert the word brothers in the bill, as the brother of a peer must be also the son of a peer. As Scotch peers could not be created, it followed that the brother would be the son of a peer. It could not be otherwise, unless the deceased peer had succeeded collaterally. He was fully of opinion that peers should make out their claim before they assumed the right of voting; but there was another class of claimants besides those to which the bill applied. Against two claimants of this description the House had passed a resolution, directing the clerk register not to receive their votes until they made out their claims. He should, perhaps, on a future occasion, propose a resolution that no person should vote until they had made good their titles.

Lord *Melville*, in explanation, observed, that the clause in the bill excepted the sons and grandsons of peers; but he still thought that brothers ought also to be excepted, because it might happen, from collateral succession, that the brother of a deceased peer was not the son of a peer.

The *Lord Chancellor* approved of the bill. The provision in the law respecting Irish peers was extremely salutary, and he thought it might be properly extended to the Scotch. An English peer must have a writ before he appears to take his seat in that House. It was also necessary to prove that he was the legitimate son of his father, to whom he succeeded; and, in cases in which there could not be the slightest doubt, this proof often required some time. It might be worth their lordships while to consider whether a similar proof ought not to be required of persons claiming to vote at the elections of Scotch peers.

The Earl of *Lauderdale* remarked, that such proof was not necessary in Scotland, from the nature of the law respecting marriage.

The *Lord Chancellor* was aware that there were many modes of contracting marriage in Scotland. He had heard, he believed, three or four hundred ways pointed out by counsel at their lordships bar, who descanted on the subjects as learnedly as if they had had three or four hundred wives themselves.

The bill was then read a second time.

HOUSE OF COMMONS.

Tuesday, June 13.

BANK OF ENGLAND ACCOUNTS.] Mr. *Grenfell*, in moving for the printing of certain Bank of England accounts of the public balances, presented yesterday, said, that as there were possibly some members in that very select House, who were not members of the last parliament, and but little conversant with the subject, he begged leave to make one or two observations. Now that the principles, arrangements, and regulations, for which he had so strenuously contended, in common with other members, in the last parliament, were recognized and adopted, he trusted the warfare between the Bank of England and himself was over. When he said warfare, he used that word only in a political sense, for no feeling had ever entered his breast which was not founded upon public and political principles; he had never wished to interfere with the private transactions of the Bank of England, or to suggest any thing contrary to those principles of justice, liberality, and good faith which ought to regulate all transactions between that corporation and the public. It had been proved by documents for which he had at different times moved, that during a period of from ten to twelve years, the corporation of the Bank had been in undisturbed possession of public money, amounting upon an average to a sum of eleven or twelve millions sterling. The interest upon that sum amounted to 575,000*l.* taking it at the current rate of interest; for it was not denied that the loss sustained by the public was to be estimated by the value which money bore in the market during that period; or that the profit made by the Bank was not precisely as much as if the money had been in the possession of any private banker or individual. This loss to the public, or profit to the Bank, for these terms were identical, was stated by the committee of public expenditure, which sat in 1807, and of which the member for Corfe-castle was chairman, to amount to very little short of 600,000*l.* per annum. The advantages derived by the public from the Bank, which were to be set against this loss, were two loans, one in 1806, at an interest of four per cent, and another of three millions, without interest, in 1818, when the right of the public to a participation in the profits of the Bank was distinctly recognized. The aggregate amount of the public money in the hands of the Bank during this period was nearly eleven millions and a half. He held in his hand a paper, from which it appeared, that this sum of eleven millions and a half was reduced, in 1819, to four millions and a half, and that since January last, a farther reduction had taken place to 3,700,000*l.*, and the loss to the public, from the profits made by the Bank during the former period, had consequently been reduced in the same proportion. The cause of this reduction was partly attributable to the cessation of the war, but principally to the increased attention of his majesty's ministers to the subject during the last four or five years. Two acts had passed the legislature, by one of which the balances from unpaid dividends were reduced, and brought within 100,000*l.* per annum, and another, by which the growing produce of the consolidated fund had been made applicable to the public service. The effect of these acts had been to reduce the balances in the hands of the Bank to three millions and a half, whereas in former periods they had amounted to 12,600,000*l.* The object which he had in view was to invite the attention of the chancellor of the exchequer, had that right hon. gentleman been present, and of the House, to the practicability of making a still further reduction in the amount of those balances, and consequently of effecting a still further saving to the public. In the present most difficult, not to say alarming, state of our finances, it was the duty of the House to neglect no practicable means of introducing economy and retrenchment into the public expenditure. Speaking in the presence of practical men, and of the hon. gentleman opposite (Mr. Peirse), who was a Bank director, he had no hesitation in saying, that the management of the public debt by the Bank, involved no greater difficulty than the most simple banking transaction. However advantageous it might be to the public that their money should be placed in such safe custody, the amount of trouble to the Bank was, in point of fact, less than that encountered by many a private London banker in the management of a single bank. He had given this subject the fullest consideration, and in his opinion a saving of not less than 100,000*l.* might be effected to the public from this source. He should move that the accounts of the aggregate amount of the balances presented by the Bank to this House be printed.

Mr. *Peirse* said, that the hon. gentleman appeared to have forgotten the great advantages which the public had derived from the Bank in consequence of the advance of large sums of money without interest, or at very low interest. The balance of eleven millions and a half, to which the hon. gentleman had alluded, had been gradually reduced the year after to eight, seven, six, and at length to three millions and a half. In one transaction with the public, he alluded to the issuing of tokens, the Bank had lost no less than 700,000*l.* In the loan of three millions advanced by the Bank at three per cent, taking the difference between the current interest of five per cent, and that rate of interest, the advantage to the public was not less than 60,000*l.* a-year. He adverted to a letter of the late Mr. Perceval, in which that gentleman expressed the highest satisfaction at the liberal disposition of the court of directors. The whole annual sum which the Bank received from government, and out of which they had to pay all the expenses attendant on the management of the public business, was only 262,000*l.* He would venture to say, that there was no other business of so large an extent done for so small a remuneration. It ought also to be recollected, when the former profits of the Bank were spoken of, that during the last twenty years of the war the Bank were always ready to afford every possible facility to government, although constantly in opposition to their own pecuniary advantages.

Mr. *Grenfell*, in explanation, maintained, that within the last twenty-two years the whole profits of the Bank of England were to be ascribed to its connexion with the government. From 1794 to 1796 or 1797, their dividends averaged about 6½ per cent. But, during the last twenty-two years, a profit of 30,000,000*l.* sterling had been divided among the proprietors and company. He did not speak this unadvisedly, for he was himself a Bank proprietor. The hon. gentleman had remarked, that the Bank of England annually paid to the government 90,000*l.* for stamps; but all private bankers were obliged to contribute proportionally, in the same way, to the revenue; and the Bank would have to pay a much larger sum for stamps than this, if it were put on the same footing with the country banks.

Mr. *Wilson* denied that, because when the Bank possessed large balances of the public money they were enabled to make considerable profits from them, it followed that those profits were a loss to the public. The risk they ran, the extensive buildings they erected, and other considerations of a similar nature, entitled them to adequate remuneration. He was persuaded that the advantages enjoyed by any private banking-house were as great, and in some instances greater, than the advantages enjoyed by the Bank; and he was also convinced, from all he had observed, that the Bank were as anxious for the public good as for their own.

Mr. *Ricardo* conceived, that if it were true, as had been stated, that the Bank had made no larger profits in consequence of its connexion with government, and its retaining these balances than any private concern which might have held them would have made, it must have managed its own affairs very badly. The hon. director had mentioned, as one of the great advantages which had accrued to the public from the acts of the Bank, the lending of a sum of money, without interest, to the government. But the thing was differently represented by the court of directors at the time. The Bank was then in this situation:—it had been allowed to increase the amount of its capital, instead of dividing a larger amount of profits among the proprietors—that is, instead of making a larger dividend it had been permitted to add to its capital: and the understanding was, that the loan of 3,000,000*l.*, upon which no interest was to become due, was a boon to the public in return for that permission. At some former periods, the remuneration to the Bank must have been enormous, or it was now very considerably underpaid. But his own opinion upon the charge of management was, that the balances in question were now so small, that it was hardly necessary to have brought the subject before the House.

The papers were ordered to be printed.

HOUSE OF COMMONS.

Wednesday, June 14.

MOTION RESPECTING BILLS FOR THE REGULATION OF TRADE.] Mr. Serjeant *Onslow* rose, pursuant to notice, to propose that the House should adopt a new Standing Order, declaring that no bill for altering the regulations of any particular trade should be read a first time in that House until such bill had the sanction of the report of a select committee. He briefly set forth the advantages to be expected from adopting this proposition, and stated the chamber of commerce at Birmingham to have voted a petition praying for the adoption of such an arrangement. He then moved, "That no Bill regulating the conduct of any Trade, altering the Laws of Apprenticeship in relation to any particular business, affixing marks to designate the quality of any manufacture, prohibiting the manufacture of any species of commodity, or extending the term of any patent, shall be read a first time in this House, until a Select Committee shall have inquired into the expediency or inexpediency of the proposed regulations, and shall have reported to the House the result of such inquiries."

Mr. *Mansfield* opposed the motion. The present moment was, he observed, a most unfavourable one for the introduction of such a measure—a moment when petitions were coming in from all quarters, complaining of distress, and praying for relief from the operation of certain restrictions affecting trade. If the House should entertain the motion, he hoped it would not be allowed to have a retrospective effect. But he looked upon the appointment of a committee for the introduction of a bill regulating trade, in some instances as vexatious, and causing unnecessary delay. If, therefore, the House would go with him, he would move the previous question.

Mr. *Baring* would not support the motion if he conceived it calculated to throw any obstacle in the way of any petitioners to that House; but, if he understood the object of the hon. and learned gentleman, it was to procure more attention to bills of the nature to which he had alluded than they might otherwise receive. Inconveniences had arisen from the passing of bills on the spur of some particular distress, which he thought would be avoided by having them previously submitted to a committee.

Mr. *Littleton* was glad to find such a measure introduced. It was not an uncommon thing to find bills passed in one session relating to trades, without consulting those parties most interested, which it was found necessary to repeal in the next, in consequence of representations of their bad effects. If this measure was calculated to injure trade, how came it to have been prayed for by the chamber of commerce of Birmingham?

Mr. *Creevey*, though he would offer no observation upon the merits of the proposed order, yet, considering that a standing order was a most important subject, he did not wish to see it passed without due consideration.

Mr. Serjeant *Onslow* replied, that he had given notice of such a measure as this in the last session of the last parliament. The hon. member could not therefore say that the House were at all taken by surprise on this occasion. His object was for the benefit of those engaged in trade.

Mr. *Western* conceived that the question was one of serious consideration, and ought to be sent to a committee.

Lord *Althorp* thought that the proposed order would be a good one; but he agreed in the suggestion of sending it for consideration to a committee.

Mr. Serjeant *Onslow* said, he had no objection to refer the matter to a committee, if the House thought proper.

The motion was then withdrawn, and a select committee was appointed to consider the propriety of a standing order such as the learned gentleman had moved for.

IRISH PAUPERS BILL.] Mr. *Parnell* called the attention of the House to the distressing situation in which Irish paupers were placed by the practice of removing them from this country to any part of the Irish coast. He proceeded to suggest a plan, by which he thought the evils to which those unfortunate persons were exposed might be in a great degree remedied. He wished specific places to be named to which they were to be sent—notice to be given of their coming, and arrangements made for their reception when they arrived at the place of their destination. He moved for leave to bring in a bill to amend so much of the poor-laws as authorize the arrest of Irish paupers, and the transportation of them to any part of the Irish coast.

Mr. *S. Bourne* did not mean to oppose the motion, as he had no objection to make the poor-laws more perfect than they were at present. The hon. member had, however, fallen into some mistakes. The Irish poor might obtain settlements by service, or by holding tenements of a certain rent. If greater facilities were not afforded to them for gaining settlements in this country, it must be admitted that it was no fault of his, as he had been disposed to bring in a bill that would have effected this, but the proposition had not met with the approbation of the House. He said, he knew of no law that authorised the arrest of a man in this country for being a pauper, and it was new to him to hear of carrying paupers to their home described to be transportation.

Mr. *Curwen* said, that no man could be removed from this country till after he had been examined before a magistrate. He, however, agreed that the Irish poor were at present exposed to great hardships, and was glad to hear a measure proposed, that had for its object the diminution of the evil.

Mr. *C. Grant* thought the subject one which merited inquiry.

Leave was then given to bring in the Bill.

SPECIFICATIONS OF PATENTS.] Mr. *Wrottesley* moved for leave to bring in a bill to prevent the inconvenience arising from the too great facility of procuring copies of the specifications of Patents, enrolled by grantees of letters patent, for the sole and exclusive vending of manufactures within this realm.

Mr. *Hume* observed, thatthe motion was contrary to all sound and liberal views of commercial policy, and that instead of concealing the specifications of patents, every possible facility ought to be given to render them public. The legislature ought never to lend itself to any measure which was calculated to prevent the diffusion of knowledge.

Mr. *Wrottesley* said, that the object of his motion was not substantially to interfere with the facilities of examining specifications, but to introduce such a modification of them as would limit the privilege of examination to such persons as were competent judges of the application of them.

The motion was agreed to.

IRISH BANK FAILURES.] Colonel *Bagwell* felt it his duty to call the attention of ministers and of the House to a calamity, greater, perhaps, than had ever fallen on any country before. Of fourteen banks in the South of Ireland, no fewer than eleven had stopped payment. The consequences were dreadful to contemplate, as the people were now absolutely reduced to a state of starvation. The food which the country people had been in the habit of bringing into the towns was now quite withdrawn. No supplies could therefore be obtained; for as no circulating medium remained, the country people knew that if they brought any food into the towns it must be seized upon by the populace without payment, as no means of paying were in their possession. He begged in the strongest manner to call on the chancellor of the exchequer, as he valued the very existence of a considerable portion of the population of Ireland, to give his attention to this subject, in the hope that he might elicit something from him of a consolatory nature, which might, in this most pressing emergency, be forwarded to Ireland by that day's post. He hoped he should hear from the right hon. gentleman not only that government were disposed to do something, but that measures had already been adopted to mitigate the evil.

The *Chancellor of the Exchequer* deeply regretted the distress to which the hon. gentleman had called his attention, but could not give that answer which he had desired to obtain. He was sure the House would feel the painful situation in which government was placed on the present occasion. To interfere in such cases was always a matter of great difficulty, and though the attention of government had been directed to the distress now felt in the South of Ireland, he was not prepared to give what the hon. member might consider a satisfactory answer.

Mr. *V. Fitzgerald* felt the deepest regret at the answer which the hon. member had just received from the chancellor of the exchequer. He concurred with the right hon. gentleman in admitting that extreme caution was necessary in such cases; he knew that interference on the part of parliament on such occasions was seldom thought advisable, and did not know that it had ever been called for on behalf of Ireland. He, however, now felt it to be his duty to warn the House that the present situation of the South of Ireland was one of great danger. Though it was not for government generally to interfere where distress was felt from local failures, he hoped it would not go forth to the world that they could do nothing on the present occasion.

MR. GRATTAN—NEW WRIT FOR DUBLIN.] Sir *James Mackintosh* rose to move, that the Speaker should issue his writ for the election of a citizen to serve in parliament for the city of Dublin, in room of the right hon. Henry Grattan, deceased. In the absence of his right hon. friend, the member for Waterford, who from some circumstances, found it impossible to attend, he had been requested to address a few words to the Chair on this most melancholy occasion. He could assure the House, that in acceding to the request which had been made to him, he felt the deepest sense of his own inability to do justice to that immortal name which must connect itself with all that he had to say, and he could with equal truth assure them, that by acceding to it on this occasion he by no means evinced a partiality for such proceedings in general. Far from approving of such a course being pursued in cases of an ordinary description, he was ready to admit that if the practice were extended beyond the very narrow limits within which it had been of late years confined—if friendship, or any other inadequate cause, should make such addresses degenerate into matters of course, he should most sincerely deplore the departure from our recent custom, and heartily wish to return to the modest silence of our forefathers. Indeed studied panegyric on the dead was not consistent with the general character and simple habits of Englishmen; it was a practice rather suited to an enslaved people than to a land of freemen, for those who were debarred from the manly exercises open to the natives of this country, and restrained to a few subjects might be expcted, in the absence of other themes on which they might dilate, to exhaust themselves in laboured orations and in worthless praise. Hitherto, in modern times, the House had preserved a very becoming temperament on these subjects, and such tributes had been limited to cases of recent death, where warm respect, admiration, and affection, made it impossible for any difference of opinion to prevail. The bounds which had thus been observed ought not to be exceeded. The House had acted wisely in reserving such distinctions for occasions of an extraordinary nature. Were this not done, the practice would soon resolve itself into a hollow and hypocritical parade, conferring no honour on the subject of it, reflecting no credit on the House, and degrading to the feelings of the nation. If he should be ashamed of being found wanting in respect to the memory of those he had most loved and honoured on earth, he should not be less so of suffering feelings of personal regard to influence him on an occasion like the present, so as to induce him to bring forward the merits of an individual as entitled to public admiration, where it was at all doubtful whether posterity would confirm the decision that might be come to in the first instance. The honours they might render to those who were no more ought to be strictly confined to such cases as he had supposed. They owed this as well to the memory of those who had received such honours as to those who had not received them, to their own characters, as well as to those of their friends, for many who had not been so distinguished were entitled to the highest honours that friendship could bestow, though not to that peculiar mark of public consideration in that House which ought to be the appropriate reward of exalted public virtue and transcendant talent. He could not but insist that the restraint imposed on their feelings ought to be continued, for that eulogium and those plaudits would become utterly worthless, if for a moment it could be doubted that they were sincere. When he stated that exalted virtue, great public services, and transcendant talent, were the conditions on which such honours should be granted, and uttered the name of Mr. Grattan, he was confident that every one who heard him would be ready to reply with eagerness, that he had satisfied them all. Mr. Grattan had been peculiarly distinguished in the course of his parliamentary career. He was the first (so far as he was informed) and certainly he was the only individual of our age to whom parliament had voted a recompense for services rendered to the country, by one who was no more than a private gentleman; and who had neither civil nor military honours. Mr. Grattan was the only man to whom a parliamentary grant, under such honourable circumstances, had ever been made. It was near forty years since the Irish parliament voted an estate to Mr. Grattan and his family for his public services; not indeed as a recompence, because it was wholly impossible to recompense such services; but, as the vote itself expressed it, "as a testimony of the national gratitude for great national services." These were the words of the grant. He need not remind the House what those services were, or what were the peculiar terms in which they were acknowledged: the only thing necessary to be said was this—that he was the founder of the liberties of his country. Mr. Grattan found that country a dependent province upon England, and he made her a friend and an equal, he gave to her native liberties, and he gave a name among the nations of the earth, a brave and generous people. So far as he (sir James Mackintosh) knew, this was the only man recorded in history whose happiness and glory it was, to have liberated his country from the domination of a foreign power, not by arms and blood, but by his wisdom and eloquence. It was Mr. Grattan's peculiar felicity that he enjoyed as much consideration in that country whose power over his own he had done his utmost to decrease, as he enjoyed in that for which he had achieved that important liberation. But there were still more peculiar features in the general character and respect which he was so fortunate as to maintain in both kingdoms. It must be admitted that no great political services could be rendered to mankind without incurring a variety of opinions, and of honourable political enmities. It was then to be considered as the peculiar felicity of the man whose loss they deplored, that he survived them for a period of 40 years; he survived till the mild mellowing hand of time, and the private virtues of advanced age, in him so particularly conspicuous, had produced so general an impression, that that House divided as it was on other subjects, all united to do honour to his talents and merits; and followed by their admiration to the end of his career, he doubted not that the tribute which he called on the House to render to his memory, would be deep, sincere and unanimous. He had said that such honours should only be bestowed in cases where posterity would be sure to approve the decision. Grattan, he was certain, every one must feel, would be a great name in our annals. His history would fill a most important space upon the page of history, for it would be connected with the greatest events of the last century. Fertile as the British empire had been in great men during our days (as fertile as it had been in any former period of our history), Ireland had undoubtedly contributed her full share of them. But none of these, none of her mighty names,—not even those of Burke and Sheridan, and Wellington, were more certain of honourable fame, or would descend with more glory to future ages, than that of Grattan. He had not touched, neither did he intend to touch, upon any question which might have a tendency to provoke political discussion; he meant no allusion which should apply to any opinions entertained by hon. gentlemen; but he might be allowed to observe, that that conviction of his great public services which had obtained for Mr. Grattan the gratitude of his country in the year 1782, was totally distinct from the opinions which might be formed upon other subsequent acts of his, and particularly as regarded the union; for, whatever those latter opinions might be, this at least was certain—that no safe and lasting union could have been formed between the two countries till they met upon equal terms, and as independent nations. What Mr. Grattan said of the union—which he (sir J. Mackintosh) trusted might be lasting to eternity—was this—that, instead of receiving laws from England, the Irish members in this country would now take their full share and equal participation of the duties of legislation, and of the conduct of the affairs of both kingdoms. Whatever therefore might be thought by some individuals of the union, the reward which Mr. Grattan had formerly received was equally merited; and he was still equally entitled to the approbation of his countrymen. If he might be permitted to mention the circumstance, he would observe, that there was one strong peculiarity in Mr. Grattan's parliamentary history, which was, perhaps, not true of any other man whoever sat in that House. He was the sole person, in the history of modern oratory, of whom it could be said, that he had arrived at the first class of eloquence in two parliaments, differing from each other in their opinions, tastes, habits, and prejudices,—as much, possibly as any two assemblies of different nations. Confessedly the first orator of his own country, (of which, he would say, that wit and humour, sprang up there more spontaneously than in any other soil), he had come over to this country at a time when the taste of that House had been rendered justly severe by its daily habit of hearing speakers such as the world had rarely before witnessed. He had therefore to encounter great names on the one hand, and unwarrantable expectations on the other. These were his difficulties, and he overcame them all. He had out-stripped the affectionate expectations of his friends, and he had made those bend to his superior genius, who had, perhaps, formed a very different estimate of his powers. He had felt himself called upon to allege these peculiarities of character and qualification in order to justify his address to the House—in order to show that the present case was beyond the ordinary rule, and could establish no dangerous precedent. This great man died in the attempt to discharge his parliamentary duties. He did not, indeed die in that House, but he died in his progress to it, to continue his efforts in that cause of which he had so long been the eloquent advocate. He expired in the public service, sacrificing his life with the same willingness and cheerfulness with which he had ever devoted his exertions to the same cause. It was not for him to define what those services and exertions were. He called on no man to remodel or to alter his former opinions relative to that great measure which Mr. Grattan was about once more to propose to them; but he would only mention, that Mr. Grattan considered it in the same light as he (sir J. Mackintosh) had always done. Mr. Grattan risked his life to come into that House for the purpose of so proposing it; because he believed that it would be the means of healing the long-bleeding wounds of his suffering country; of establishing peace and harmony in a kingdom, whose independence he had himself achieved; of transmitting to posterity, with the records of her political the history of her religious liberation; of vindicating the honour of the Protestant religion; of wiping from it the last stain that dimmed its purity, and of supporting the cause of religious liberty, whose spirit went forth in emancipated strength at the Revolution, and was adopted into our laws, although its principle was long unknown to the reformers themselves. There was one important circumstance in the case of Mr. Grattan which was well entitled to observation; his was a case without alloy; it was an unmixed example for the admiration of that House. The purity of his private life was equal to the brightness of his public glory. He was one of the few private men whose private virtues were followed by public fame; he was one of the few public men whose private virtues were to be cited as examples to those who would follow his public steps. He was as eminent in his observance of all the duties of private life, as he was heroic in the discharge of his public ones. He (sir J. Mackintosh) had not the honour to know Mr. Grattan until late in life. Among those men of genius whom he (sir J. Mackintosh) had had the happiness of knowing, he had always found a certain degree of simplicity accompanying the possession of that splendid endowment. But, among all the men of genius he had known, he had never, in advanced age, met with a man in whom native grandeur of mind, with vast stores of knowledge at his command, was so happily blended with rational playfulness and infantile simplicity, such native grandeur of soul accompanying all the wisdom of age, and all the simplicity of genius as in Mr. Grattan. He had never known any one in whom the softer qualities of the soul combined so happily with the mightier powers of the intellect. In short, if he were to describe his character briefly, he should say, with the ancient historian, that he was "Vita innocentissimus; ingenio florentissimus; proposito sanctissimus." As it had been the object of his life, so it was his dying prayer, that all classes of men might be united by the ties of amity and peace. The last words which he uttered were, in fact, a prayer that the interests of the two kingdoms of Great Britain and Ireland might be for ever united in the bonds of affection; that they might both cling to their ancient and free constitution; and (as most conducive to effect both those objects) that the legislature might at length see the wisdom and propriety of adopting a measure which should efface the last stain of religious intolerance from our institutions. He trusted that he should not be thought too fanciful if he expressed his hope that the honours paid to Mr. Grattan's memory in this country, might have some tendency to promote the great objects of his life, by showing to Ireland how much we valued services rendered to her, even at the expense of our own prejudices and pride. The man who had so served her must ever be the object of the reverential gratitude, and pious recollections of every Irishman.—When the illustrious dead were gathered into one common tomb, all national distinctions faded away, and they seemed to be connected with us by a closer union than laws or governments could produce. It was natural to dwell on their merits, and on their probable reward; and he felt that he could not better close what he had to say on this subject than by applying to Mr. Grattan the lines written on one who had successfully laboured to refine our taste and our manners, but who had nothing in common with Mr. Grattan but a splendid imagination, and a spotless life. Of Mr. Grattan, when he should be carried to that spot where slept the ashes of kindred greatness, might truly be said,

> " Ne'er to those chambers where the mighty rest,
> " Since their foundation came a nobler guest;
> " Nor e'er was to the bowers of bliss convey'd,
> " A purer spirit, or more welcome shade."

Lord *Castlereagh*, agreeing with the remarks made by the hon. and learned gentleman, as to the occasions on which a public tribute of applause should be rendered to those who were no more, perfectly entered into the feelings which had been expressed with respect to Mr. Grattan, and thought no individual could hesitate in awarding to his name the honours claimed for it. No man had ever rendered more splendid services to the country, than the individual whose loss was deplored both by the House and the country. He could remember when he (lord C.) first came into public life in 1790, that Mr. Grattan was then in the zenith of his talents, and certainly no talents had ever asserted greater supremacy over a popular assembly than his had done. He was of opinion, that in the great transaction which had been alluded to, England profited not less from the talents of Mr. Grattan than Ireland had done. By the victory which he had previously gained, Mr. Grattan had laid the foundation for that measure which had united the two islands of Great Britain and Ireland into one empire, and dissipated those mists which had before prevented both countries from seeing their true interests. Mr. Grattan had first overthrown the commercial bigotry which once existed, in consequence of his exertions, and the advantages resulting from this were now felt in the wealth which each country poured into the other, and which it was now the business of parliament to make fructify, and increase the commercial prosperity of the empire. The hon. and learned member had, with great good taste, abstained from going into any subject which might have originated a difference of opinion, when he called the attention of the House to the sentiments uttered by Mr. Grattan in his last moments, respecting the Catholic question. Whatever were his (lord Castlereagh's) feelings on that question, he thought with the hon. and learned gentleman, that to introduce any thing relating to it on the present occasion would be foreign to the purpose. Whether Mr. Grattan was right in the view which he took of that question or not, it could at least be said that his death was consistent with his life, and that, in his attempt to perform what he considered to be a duty to his country, he had given a memorable testimony in the last effort of his feeble frame, but great mind, of fidelity and attachment to the cause. He deeply regretted he could not more adequately express his high political veneration for the extraordinary talents this distinguished character displayed on various occasions, in many of which he had himself been opposed to him in argument and sentiment. Of one thing he wished the hon. and learned gentleman to be convinced by the vote about to be given on this occasion, that the members on his side of the House were as anxious as those on the opposite side to do justice to the rare endowments and extraordinary talents, of that distinguished and lamented individual, whose virtues he was persuaded would long live in the memory of the British nation, confuted the erroneous idea that was but too prevalent, that the poverty of Ireland was the wealth of England.

Mr. *C. Grant* entreated the pardon of the House for occupying their attention for a few minutes on a subject which to him was so deeply interesting. He was glad that this occasion had not been allowed to pass, without paying that just tribute of panegyric to the memory of the late Mr. Grattan, because he thought it was due to the feelings of the House of Commons, to the feelings of Ireland, and he would add, of England; for we had also shared the advantage and glory of his talents. He would not enter into a detail of the public life and character of Mr. Grattan—it was satisfactory and consoling, that upon such an occasion all party differences, should be laid aside. In truth, that great man was now far removed from all party differences, he had already taken his place among kindred spirits, to whom his distinguished virtues on earth had long been approximating him. That great man was as delightful in private life as he was in public. One great beauty in his character was, that love of retirement which the ardour of his patriotism led him to forsake. Encircled as he had been for the greater part of his latter years by his family in the most picturesque and beautiful spot near Dublin, to his last days he felt and admired all the silent charms of nature with all the freshness and ardour of a first affection. He had had many opportunities of seeing him in the midst of his family and friends, and of observing with what urbanity he gave himself up to the pleasures of domestic life. These recollections made him feel far more deeply the irreparable loss which himself, in common with the whole nation, now sustained; but they suggested another more useful feeling—the intimate connection there was between great public and great private virtues. In truth, Mr. Grattan's political exertions had been so productive of beneficial fruits to his country, because they were deeply rooted in the domestic virtues.

Mr. *Wilberforce* observed, that the great public services which had been rendered both to Ireland and to Great Britain by the eminent and lamented individual in question, had been well described by his hon. and learned friend. Having witnessed all the exertions of Mr. Grattan's political life, after his introduction into this country, he begged to be allowed to say a single word on the subject. He had never known a man whose patriotism and love for the constitution of his country seemed so completely to extinguish all private interests, and to induce him to look invariably and exclusively to the public good. His mind was of a character which enabled him completely to triumph over party feeling on all questions of great public importance.—He could not abstain from remarking, that to this particular praise Mr. Grattan was entitled in more than an ordinary degree; for although it was well known that he was no friend to the Union at the time that it took place, yet almost his last breath was exhausted in the expression of a fervent wish that that Union might never be disturbed. Although he would not allude more particularly to the topic on which that conduct was exhibited, yet well he remembered that when Mr. Grattan was apprehensive that the love of liberty, which no one had more zealously infused into his countrymen than himself, carried to excess, might betray them into licentiousness.—He freely subjected himself to unpopularity, with a view to avert the evil, and to recall those who were giving way to it to a just sense of the beneficial and excellent qualities of the constitution under which they lived. Mr. Grattan showed true wisdom in thus manifesting that the love of liberty was never so substantially gratified as when it was gratified with a due observance of that proper rule and subordination without which the principles of civil society must immediately dissolve.

Mr. *V. Fitzgerald* trusted he might be permitted to occupy the House for a few moments, with the expression of those sentiments which were common to all who had ever known the revered individual whose loss the country had now to deplore. He was fully sensible that whatever might be said on the subject, might do honour to themselves and to the country; but could add no honour to the memory of such a man as Mr. Grattan. The hon. and learned gentleman who had introduced the topic to the House, had expatiated on the character of his illustrious friend with an eloquence and a feeling to which every breast responded. It had been truly said by the hon. and learned gentleman, that if they wished to read the history of M. Grattan, they must read the history of his country. With every memorable occurrence in Irish history during the last forty years, Mr. Grattan's name was connected; and he had stamped it with his character. It was superfluous to dilate on this subject. To Mr. Grattan's exertions, Ireland principally owed her independence. In his own words, the revolution then achieved was "alone in the history of empires, the revolution accomplished without shedding a drop of human blood." He would abstain from dwelling on any topic calculated to excite a difference of opinion; but it was impossible to contemplate the occasion and circumstances of Mr. Grattan's death, without some reference to that particular question, which, to the last moment of that great man's existence, occupied his whole heart and soul. Without entering into any discussion whether Mr. Grattan's opinions on that question were right or not (the House knew his, Mr. V. Fitzgerald's sentiments upon it), he could not refrain from observing, that there was, in the very manner and time of Mr. Grattan's death, a consecration of his opinions on that most important subject which was well calculated to augment their force and impression. He recollected that on the first occasion on which he had the honour and the happiness to hear Mr. Grattan in parliament, in adverting to the talents and services of his eminent but deceased contemporaries, Burgh, Yelverton, and Flood, he observed, that although they had not lived to witness the restoration of the independence of Ireland, their genius might be said to survive, even in the measures which they had themselves failed to accomplish. Mr. Grattan was more felicitous. His fame rested, not on measures which had failed, but on measures which had succeeded; but he (Mr. V. Fitzgerald) trusted that with respect to other great principles so often and so admirably maintained by him in that House, his genius (to use his own expression) might survive and operate, though his mortal part had ceased to exist.

Mr. *Becher* declared his conviction that the House would make allowance for the feelings which must animate every Irish bosom on contemplating the qualities of the most distinguished and useful patriot that his country had ever produced. Without stopping for a moment to consider his own incapacity to address the House on such a subject, he should be ashamed to sit silently in any assembly where he had a right to deliver his sentiments, when the name of Grattan was mentioned; and he was sure that his sentiments were in unison with those of all who heard him, when he expressed his deep lamentation for the loss, and his profound veneration and gratitude for the services of the illustrious individual in question. He by no means intended to enter into any detailed panegyric on that great man. He was totally incapable of the task; and if he were capable of it, it would be altogether superfluous. His principal reason for rising was to mention to the House that a document—the dying exhortation of Mr. Grattan to his Catholic countrymen—addressed to a gentleman who stood by his bedside, and by him immediately afterwards committed to writing—had been communicated to him (Mr. Becher), which, with the permission of the House, he would now read — [The hon. member here read the document in question so rapidly, that we could collect only an imperfect report, to the following effect:]

"I wished to go to the House of Commons to testify with my last breath my opinions on the question of Catholic Emancipation; but I cannot. The hand of death is on me. I am not afraid of death; but I fear for my country if the object which I have so long cherished should not be accomplished. I sincerely wish the Catholics to be relieved from the oppression under which they have long been labouring, because I have always considered them to be loyal men, worthy to be placed upon a footing with the other members of the community, and to be allowed to worship God according to their own consciences. I wish the question to be settled, because I believe it to be essential to the permanent tranquillity and happiness of the country, which are, in fact, identified with it. The Catholics have behaved well under many trials. If their hopes should be again disappointed, I most earnestly deprecate any coalition on their part with the advocates of Universal Suffrage and Annual Parliaments. Were the friends of those doctrines to be successful in their object, nothing could ensue but the subversion of the constitution, and the establishment of the wildest democracy. There is one thing more. The Catholics must cautiously avoid becoming parties to any dissensions that may unfortunately prevail in the royal family" [Hear!].

Nothing could, in his opinion, be more favourable to Mr. Grattan, than this proof, in his dying moments, of his anxious solicitude that his Catholic countrymen might not fall into error.—He (Mr. Becher) trusted that they would not do so. At the same time, he trusted they would not fail in the attainment of the important object which they had in view. If they should fail, he was persuaded it could only be by a departure from the dying injunctions of their unwearied champion and best friend; and who had taken so solemn an opportunity of giving wholesome advice to them, as he had so frequently done to those who were to legislate for them. He had gratified his own feelings in having said these few words; he hoped he had done no injury to the memory of the great man of whom he had been speaking; and he trusted he had not committed an unreasonable trespass on the patience of the House.

The motion was then agreed to.

IRISH TEN PER CENT UNION DUTIES.]—Sir *H. Parnell* said he rose to move for the appointment of a select committee, to inquire into the duties payable by the Act of Union, of ten per cent on British manufactures imported into Ireland, and on Irish manufactures imported into England. Such a committee was necessary, in consequence of the chancellor of the exchequer having brought in a bill to continue these duties for twenty years longer than the time prescribed by the Act of Union. This bill would seriously affect the interests of the British manufacturers, because it would continue a heavy tax upon their goods, and thereby diminish the demand for them in Ireland. It would also, by continuing this tax, injure the Irish consumers. The cause of distress in the manufacturing districts being a want of market, it was obvious, that this measure would be a great evil, by its effect in raising prices to the Irish consumer, and thus limiting the quantity he could otherwise purchase. If the import of English manufactures into Ireland was quite free, the use of them would be greatly extended; at present every one in Ireland paid twenty or thirty per cent more for every article of manufacture than he would pay if there was no duty upon it; and 200,000*l.* a year was thus levied upon the Irish people, under the plea of protection, and encouraging Irish manufactures. The continuance of these duties appeared to him, and to many others whom he had consulted, as a violation of the Act of Union. The sixth article declares the general proposition, that all articles, the growth, produce, or manufacture of either country, shall go to the other free of all duty. Then there comes two limitations: first, as to countervailing duties; second, as to these protecting duties in schedule

No. 2. The limitation to the general proposition is, that these duties are to continue twenty years. No power is given to the united parliament to continue them, though in other cases, where alleviation or revision was intended, specific words are used to declare the united parliament competent to alter or revise duties. The Irish parliament, when they passed the Act of Union, understood these duties were to cease in twenty years, and prepared their plans accordingly. The Act of Union was a solemn compact, and ought not to be lightly meddled with. It was of the greatest consequence to Ireland, that all its enactments should be held sacred; for, being the weaker party, if once alterations were begun, in the end every advantage which Ireland enjoyed, inconsistent with some supposed English interest, would be taken away. If the question were fully understood in Ireland, there would exist no wish to have these duties continued. They took out of the pockets of the Irish consumer of English goods 200,000*l.* a year, and this was a positive evil. The price of every article was one shilling in four more than it ought to be; but this was not understood, and those who were paying four shillings when they ought to pay three only, were among the foremost to cry out for the continuance of these duties. The Irish manufacturer who desired to have these duties, always seemed to forget that they applied to his own goods on going to England. They shut him out of the rich English market, and confined him to the limited demand of his own poor country. It was utterly impossible that much capital could be invested under these circumstances in Ireland in manufactures.—There could be no profits equal to a due reward for its investment. The true policy to promote Irish industry and Irish riches was to give to Ireland the benefit of the English market. Were it not for this market, what would be our trade in linen, butter, and corn? Could Ireland sell calicos, coarse woollens, or poplins, in England, free from duty, the cheap labour of Ireland would secure a good demand for them. Corn and agricultural produce would be sent from Ireland to pay England for the increased qualities of English manufactures, which would be imported in consequence of their price being reduced one-half. It was the greatest misfortune that ever befel Ireland to have ever introduced the system of protecting duties, and with it the exclusion from the English market. The experience of thirty years had proved its impolicy. The history of attempts to establish manufactures in Ireland was a history of successive failures. Capital, to an immense amount, had been lost, which would have been attended with certain profit if it had been applied to the improvement of agriculture. But the motion which would be submitted to the House did not go to say, that no protecting duties should be continued; all it sought for was inquiry. The bill of the chancellor of the exchequer proposed an indiscriminate renewal of ten per cent on seventeen great branches of manufacture, and to allow twenty years more for the gradual extinction of the duties; but, if an inquiry were instituted, it would appear that some of these branches might be allowed to be free, because, in Ireland, no protection could be required for them, as they had no existence there. It was also very desirable to inquire into, and revise, the system of countervailing duties. Now that there was but one exchequer, there was no common sense in maintaining the system of drawing back the whole duty on an article in one country to pay it in another. What could be more absurd than the process of drawing back three pence a pound on paper and books in England to pay three pence a pound on importing them into Ireland, the chancellor of the exchequer had certainly an object to carry of no small consequence to the revenue by renewing these ten per cent duties, the levying of 200,000*l.* a year upon Ireland, but this was a paltry object in comparison with the putting of the trade of the two countries on a footing to promote the employment of the poor, and the extension of the wealth of Ireland. If the committee were appointed, they would be able to advise in what cases any protecting duties were still advisable. They would consider the interests of each class of Irish manufacturers, and recommend nothing which would lead to their injury, in consequence of their having confided in the assurance of the chancellor of the exchequer, that these duties should be renewed. The hon. member concluded by moving, "That a select committee be appointed to consider the provisions of the Act of Union between Great Britain and Ireland which relate to the trade between Great Britain and

Ireland, and to report their observations and opinions upon the duties payable upon articles the produce or manufacture of either country, when imported from one country into the other."

Mr. *Littleton* seconded the motion. He thought it was of the utmost importance that this subject should be investigated by a committee of that House. There were many branches of trade, which were exclusively confined to this country; for instance, the wrought iron, the Hardware and the potteries. Now, it would be of infinite advantage to the starving manufacturers, if the duties on those branches of our trade were removed in our intercourse with Ireland.

Mr. *V. Fitzgerald* rose to oppose the motion. There was no one proposition, he said, which would produce a feeling half so fatal in Ireland as that of the hon. baronet. The state of Ireland at the present moment was so deplorable, that any attempt to agitate this question would produce a feeling of a most distressing nature throughout the whole country; and he had not heard in the arguments of either of the hon. members any thing to induce him to agree to the motion. The hon. baronet said, that there were many articles in schedule 2, which were not manufactured in Ireland; and he asked for a committee to inquire into that subject, forgetting that the discussion on that point will come on in the committee on the bill itself. The hon. baronet seemed to suppose, that the whole of the commodity of wrought iron was produced from England alone. There were, however, manufactories for that article in Ireland, and, although they might not perhaps appear considerable to the hon. member for Staffordshire, they were of great importance to the Irish people. He protested against the hon. baronet's construction of the union act. He contended that it was not intended by that act that these duties should cease at the end of twenty years; but at that time it should be competent for parliament to re-consider the subject. It was to prevent their going into an inquiry from which no good could be derived, and to prevent the mischief which such a step would produce in Ireland in its present distressed state, that he objected to the motion.

Lord *Althorp* supported the motion. He thought it a sure proof that the chancellor of the exchequer had introduced this measure in a careless manner, when it appeared that there were some manufactures for which he proposed to give a protecting duty, which did not exist in Ireland. It was, therefore, clearly the duty of the House to institute an inquiry into the subject before they gave their assent to a measure attended with such important consequences.

Mr. *Williams* thought it was right to continue the protecting duties, when it appeared that manufactories were founded on the faith of them as existing laws; but he did not think it just that Ireland should pay a duty of 10 per cent for necessary commodities.

The *Chancellor of the Exchequer* begged leave to bring to the recollection of the House the nature of the proceedings which had already taken place on this subject. In the session before last it had been stated in the House, that a petition was coming over from Ireland, praying for a continuance of these protecting duties. On this occasion, he had been asked what were the intentions of government respecting them? when he replied, that government was clearly of opinion that they must cease some time or other, but that they had not then fixed the period for their abolition. Upon farther consideration of the subject, he had plainly foreseen that they could not cease without adequate notice being given, without causing great injury, and he had therefore brought in his bill with respect to them, which had been alluded to. He declared that he could not consent now to go an inquiry, which could do no good, and would only serve to create alarm. If the House had thought it necessary, they might have allowed these duties to continue in their present state for one or two years longer, and then take them again into consideration, with a view to appoint a time for their final extinction. But even that course could not be adopted without great disadvantage; for so long as the manufacturer saw no specific mode pointed out for the extinction of these duties, he would be inclined to think that they would continue for ever. He could not agree in the opinion of the hon. baronet that the plan was not an intelligible one. It had been approved by three gentlemen of considerable experience in the affairs of Ireland, who had filled the office of chancellor of the exchequer for that country. The measure was intended to benefit the nation at large. With respect to the articles referred to by the hon.

baronet, it was sufficient to know that at the time of the union it was thought necessary that they should be guarded by protecting duties. But even if he were disposed to enter into the extensive inquiry proposed, there was not time for it in the present session.

Mr. *Curwen* was for going into the inquiry, not for the purpose of repealing the existing duties, but with a view to ascertain the period to which it would be necessary to continue them.

Sir *N. Colthurst* hoped the chancellor of the exchequer would not accede to the motion. He knew it would be productive of considerable alarm and discontent in that part of the country with which he was connected. At a period like the present, when the public distresses of Ireland were so great from recent failures, it was of the utmost importance to avoid all subject of discontent or alarm.

Lord *Castlereagh* said, that by the act of Union, the question of continuing or discontinuing these duties, was left entirely open. Now that parliament had evinced a disposition to act upon more enlarged principles of commerce, perhaps, if he had to consider whether he would for the first time propose such duties, he should not be willing to advise the adoption of them. But here they had to deal with duties already in existence; and even so, he would have no objection to go into an inquiry upon them, if it could be got through in the present session. But that was impossible. The argument of the hon. baronet, besides, applied only to two or three articles, whereas, the alarm which would be excited applied to the whole: and there never was a moment when it was more necessary to guard that country from all unnecessary alarm than the present, when commercial credit was so deeply shaken. No course could more directly tend to excite alarm than the course now proposed. With other injurious consequences it would produce a great deal of commercial jealousy.

Mr. *Hume* said, that there were at least thirty or forty articles on which the duties might be modified. The intercourse between Ireland and England, would only be of real benefit to the latter country, when that intercourse should be free. It was from this freedom of intercourse established between England and Scotland that the latter had benefitted so materially since the union. As to the failures of the banks in Ireland, they really had nothing to do with the present question, and were only taken advantage of for the purpose of opposing this motion. He should vote for the committee.

Mr. *W. Parnell* supported the motion.

Mr. *Shaw* thought the hon. baronet had mistaken the opinions of the manufacturers in Ireland, at least in Dublin, if he supposed that they did not feel great anxiety that the protecting duties should be continued. At the same time, he admitted that there were some articles on which the duties ought to be discontinued; but he was of opinion that they should be discontinued only according to the scale of gradual reduction which had been proposed by his right hon. friend.

General *Hart* opposed the committee, on the ground of there not being time for the inquiry in the present session.

Sir *H. Parnell* briefly replied. He said, that as a great difference of opinion existed, he should feel it to be his duty to take the sense of the House. He felt persuaded that the right hon. gentleman himself was disposed to make some alteration. He was convinced, that if a committee was appointed, they would, in eight or ten days, be enabled to make a report, which might lead to a beneficial measure.

The House divided: Ayes, 30; Noes, 66.—Majority against the motion 36.

List of the Minority.

Aubrey, sir John
Curwen, J. C.
Calcraft, J. jun.
Chetwynd, G.
Davies, col.
Ebrington, viscount
Guise, sir W.
Griffith, J. W.
Gurney, R. H.
Hart, G. V.
Harbord, hon. E.
Hamilton, lord A.
Heathcote, J. G.
Hume, J.
Knox, hon. T.
Littleton, E.
Martin, John
Monck, J. B.
Milton, viscount
Nugent, lord
Parnell, Wm.
Palmer, col.
Ricardo, David
Robinson, sir G.
Smith, Wm.
Stewart, sir J.
Webb, E.
Wilmot, R. J.
Wood, alderman

TELLERS.

Parnell, sir H.
Althorp, lord

MUTINY BILL.] Lord Palmerston moved the third reading of the Mutiny-bill.

Lord *Nugent* wished to preface the observations he had to make in bringing forward the motion of which he had given notice, and which had for its object a diminution in the proposed amount of our military force, by inquiring of the noble lord whether the army maintained in India formed any portion of the establishment pointed at in the first resolution.

Lord *Palmerston* thought this question would be best answered by the resolution itself, which he therefore moved should be then read.

The resolution was accordingly read, and it in distinct terms declared a vote of 92,224 men, exclusive of his majesty's forces in the East Indies.

Lord *Nugent* assured the House that it was far from his intention to detain them long in setting forth the grounds upon which he thought it his duty to submit his present proposition. He feared, indeed, that the motives by which he was actuated, and the principles to which he must of necessity refer, would make but a slight impression on the House. His proposition would certainly apply itself at once to the principle of the army estimates, and have no connexion with any of their details. The time and patience of the House would be wasted, if he were to indulge in declamation at the cool unhesitating manner in which so great a military establishment had been proposed at a moment of profound peace. He trusted that the jealousy manifested on former occasions by parliament, with reference to a standing army, had not gone entirely out of fashion. It would be melancholy, indeed, if such a change had taken place in the feelings and dispositions of the country. A much better defence, he felt assured, might be relied on for our domestic peace than an immense regular army. Such a force, viewed with regard to the avowed purposes of its application, seemed, to his mind, worse than useless. Were they to be told by the ministers of the Crown that after five years of peace, and after all the provisions made with regard to the militia, and the additions made to the yeomanry, that any fresh cause of dismay or alarm could justify the maintenance of so enormous an establishment? Such a measure was, in appearance at least, a large stride towards a military government. He looked in vain to any thing which had fallen from the noble secretary at war for an argument to justify this proceeding. All that the noble lord had urged was the notoriety of its necessity. For his own part, he meant not to impute any motives of a personal kind; but he must observe, that a plea of this nature was easily set forth, and was, unaccompanied by any reasoning, entitled to very little weight. He would not, therefore, admit the postulate of the noble lord; and was the more induced to bring this subject under consideration from a remembrance, that when, some years ago, very large estimates were laid before the House, the refusal of the House to continue the income tax caused those estimates to be withdrawn, and others of a reduced amount to be substituted [Hear, hear!]. He was not without hope, under such circumstances, that, taking into view the state of our militia and yeomanry force, some part of the proposed regular army of 92,224 men might be dispensed with. In a report of the finance committee, in the year 1817, would be found a strong recommendation that the numerical amount of our regular force should be gradually reduced, till it formed some approximation to the standard of our establishment in 1792. It was alleged at that time, that the year 1817 was a period of discontent, and of danger attendant on that feeling. His majesty's ministers must have viewed it in that light, for then it was that they proposed a suspension of the Habeas Corpus act. If no reduction was deemed advisable at such a period, was it to be inferred that such a reduction would be impolitic at this moment? He admitted that much discontent and disaffection still prevailed, but they had their origin in distress, and in a distress which must be aggravated tenfold by the course of policy now adopted. The true means of subduing discontent were not to be found in armed or expensive establishments. Discontent was in itself not the evil to be cured, but the symptom of it. Would a large standing army give bread to starving labourers, create enterprise in disappointed merchants, or give fresh impulse and encouragement to their agriculture? Were not bankruptcy and hunger the real disorders for which they ought to provide a remedy if they could? If he searched his own heart whilst he contemplated this subject, he certainly must confess that he felt reason to be an alarmist. He feared that if things were to continue in their present state, and the same counsels were to be adopted, they must terminate in some violent effort, which every friend of peace and true lover of his country must deprecate and deplore. Nothing but the unsparing hand of retrenchment could secure us from this calamity. It was incumbent on the House to prove that it was ready to interpose its shield in defence of a suffering people, against a system of cold-hearted and needless profusion [Hear, hear !]. He should be ashamed, be should think meanly of himself for ever after, if he were capable of exaggerating the statement of his feelings on this subject. Had not many circumstances occurred within the last two or three years, which, independent of the amount of our military establishment, afforded reason to dread lest it might be made instrumental in bringing about a military government ? Had not soldiers been called out on every occasion of accident, riot, or disturbance ? Had we not even known them to be called out at a popular election—a step which in his opinion, ought long since to have been brought under the consideration of that House ? But, what was still more important, the present advisers of his majesty had, without the consent of parliament, and during its recess, added 11,000 men to the standing army. This by the express words of the Bill of Rights, it was unlawful for them to do in a time of peace. Such, however, was the spirit by which parliament was animated, that, at its meeting, no animadversion on this proceeding had taken place. Yet he believed no precedent could be found for the measure, since the period of the Revolution. The last case which bore any resemblance to it was under the reign of the second James, when the duke of Argyle was in arms, and in open rebellion. The Crown then took upon itself to raise a military force, and the first step which even the slavish and submissive parliament of 1685 took on their assembling was, before they voted a supply, to pass an abstract resolution declaratory of the principle to which he alluded. It appeared to him wrong to consider this as a question chiefly of economy, far as he was from undervaluing such a consideration at the present moment. Having stated these facts, and adverted to these principles, he should conclude by moving, that, instead of 92,224 men 77,224 should be inserted, making, on the whole military force, a reduction of 15,000 men. By acceding to his proposition an amount of force, not proved to be necessary by any argument used on the other side of the House, would be dispensed with, which would lessen the expenditure of the country, with reference to the army estimates, more than half a million of money. He knew with how little of the spirit in which he had moved for this reduction his proposition was likely to be met by gentlemen opposite ; but if the House hoped to support public liberty—if they wished to maintain, within their walls, that constitutional control over the army which it was their duty to uphold and to practise—they ought, by their votes on the occasion, to manifest the jealous feelings which they entertained of military power [Hear, hear !].

The noble lord was proceeding to move his amendment, but was interrupted by the Speaker, who stated that the bill must be first read the third time—after which proceeding alone could any proposition be received for altering any part of its contents. The bill was then read the third time. After which, lord Nugent moved to leave out "92,224," for the purpose of inserting "77,224." The question being put, "That 92,224, stand part of the question,"

Mr. *Bright* said, he could not, without considerable alarm, view the efforts that were making to increase the military force of the country, and he deeply regretted the diminution of that bulwark of their strength—the naval force—which had been so often and so successfully employed in asserting the rights of Great-Britain. It was his most anxious desire to place the military force within the smallest possible compass. The establishment of 1792 had been referred to by former committees of that House as sufficiently large for the service of the country in times of perfect peace ; and, for his own part, he could not see any thing in the situation of the country at present that called on them to extend the military force beyond what it was in 1792. It was true that discontent existed in the country—it was true that alarming scenes had been exhibited—it was most true, that meetings had been assembled, whether legally or illegally he would not determine, but which, in the minds of the people, were undoubtedly considered legal. It was equally true that those who were thus assembled had been forcibly dispersed ; but he demanded of the House whether these combined circumstances rendered this extraordinary establishment necessary ? He believed, notwithstanding all that was reported, that the principles of the people were sound—he believed they were strongly attached to the King, Lords, and Commons, as they now existed by law, but he knew they felt, and, he believed, justly, that they suffered under some evils which might be removed—that they paid for some things that could be done without,—and amongst these was this enormous military establishment. There might be cause for alarm—there might be discontent in the country—but how did it originate? In his opinion the people were irritated, because they thought that his majesty's ministers did not sympathize with their feelings, or compassionate their wants. If such sympathy were manifested, it would satisfy their minds, and relieve them, in a considerable degree, from the distress which they now encountered in consequence of the unpromising situation of agriculture, commerce, and manufactures. If he wanted an argument to prove that ministers did not feel for the distresses of the people, it was to be found in the conduct of the chancellor of the exchequer in the course of the evening. That right hon. gentleman had treated in the most cool and harsh manner the application of an hon. member for Ireland, who had called on the government to afford some relief to the distresses which now prevailed there. When it was stated to him, that eleven out of fourteen banks had failed in the south of Ireland, and that universal ruin was likely to be the consequence, they were calmly told that it was contrary to all the principles of political economy to relieve the distress thus created, and which occurred in a country where nothing but paper was circulated. In acting thus, he contended that the chancellor of the exchequer did not do that which, as a minister of the country, who was bound to watch over the prosperity of every part of it, he ought to do. Let the House look to the extraordinary levy which was made in the last year. He denied that that proceeding could be justified. Their ancestors would have felt the utmost alarm if they believed that there were 11,000 men in the heart of the country, shut up in its hospitals, or retired into private life, ready to be called forth at the discretion of government. This circumstance called for the minute observation of parliament. It was not an ordinary matter. If there was any thing in the principles of the constitution which, more than another, they ought to revere, it was that which directed them to look with jealousy to the increase, of military power. They ought, therefore, to watch with the utmost vigilance this new mode of calling an increased military force into action. They ought not to leave in the power of the minister—whenever he thought, with or without cause, that discontent and disaffection were to be found in the country—the means of calling out a force to put them down at his own will and pleasure, and, perhaps, to put down with them the good feeling and the good sense of the country [Hear, hear!]. He did not mean to say that the good feeling or the good sense of the country were displayed at Manchester and other places; but he would contend that nothing which had occurred called for 11,000 additional men. With respect to that 11,000 men, he felt that the motion of the noble lord was perfectly correct; but, with regard, to the other 4,000, he was not quite so well informed. If his majesty's ministers would agree to reduce these 11,000 men, he would be content not to support the motion of the noble lord; but, in the event of their refusal, he would vote for the proposition now before them.

Lord *Palmerston* said, the noble lord, in the course of his speech, had stated, that the motion he was about to propose, and some of the sentiments he was about to profess, would not, he feared, coincide with the feelings of many individuals in that House. After having heard the motion of the noble lord, and the accusations he had advanced against gentlemen on the ministerial side of the House, he believed it would be found that there were indeed very few individuals within those walls who would be disposed to concur with the noble lord in the view he had taken of the subject. The noble lord's argument might be divided into two parts; the one relating to the military establishment, setting aside the 11,000 veterans; the other respecting the measure adopted in calling them out. The noble lord said, that ministers had adduced no reason to prove why, in the present instance, an establishment founded on that of 1792 would not be sufficient; and he further observed, that a committee, in the year 1817, which certainly was one of commotion, had pointed out the establishment of 1792 as that which ought to be adhered to. If the noble lord would allow government all the force which was at their disposal in 1817, he would then admit that his argument was applicable to the present question; but otherwise he must deny its validity. He had stated, on many occasions, that the increase of their colonies, and the extent and importance of some of them, formed a broad line of distinction between the force that was deemed sufficient in 1792, and that which was at present considered necessary. The circumstances of the two periods were entirely different. This country now possessed Malta, the Ionian islands, the Cape, Ceylon, the Mauritius, and various other settlements which had been ceded to her since the period to which the noble lord alluded, and for the protection of which it was necessary to provide. With respect to calling out the veterans, the noble lord considered it to be a violation of the constitution. If, however, he looked back to the constitution of this country, he would find many instances in which an augmentation had been made in time of peace, under the apprehension of approaching war, or of internal commotion [Hear, hear!]. He hoped those gentlemen who cheered him would not object to this distinction. Surely they would not say that the same course ought not to be taken by government to guard against internal that was adopted to meet external danger. The latter, he conceived, ought to be more particularly provided against. Many instances had occurred, in time of peace, where an augmentation of the military force had been effected, without any bill of indemnity, or any measure of the kind mentioned by the noble lord, being deemed necessary. He admitted the argument of the noble lord, that no force could be constitutionally embodied without the consent of parliament; but that consent, he contended, had been obtained. In the speech from the throne, the intention of calling out this additional force was mentioned; and both Houses of Parliament, in their answer to that speech, plainly adverted to the circumstance. If, therefore, gentlemen conceived this proceeding to be unconstitutional, they would find it difficult to answer their country satisfactorily for having suffered so many months to elapse without having agitated the question. But, not only was the circumstance mentioned in the speech from the throne, and in the address in answer to it, but a specific vote of money was agreed to for the subsistence of those troops. He therefore was at a loss to know in what point the measure objected to by the noble lord had not received the full sanction of parliament. The circumstances which called for this accession of force were so notorious, that it was not necessary to prolong the discussion by enumerating them. Let the House look to the state of the country at the time. Were there not collected in various quarters multitudes of armed men? If the noble lord would but call to mind the feelings that were prevalent throughout the country at that period, he would find, that consistently with a due regard to the safety of the country, it was necessary to augment the military force. The noble lord would ask, "Is it necessary now to keep up this additional force?" In answer to that, he would only ask gentlemen to turn their attention to the events that had passed since the period to which he had referred. He would forbear from adverting to the conspiracy that was discovered in London. A conspiracy to destroy some hundreds of individuals—to burn different parts of the metropolis—and to create a provisional government—was, it appeared, a matter of no importance to the gentlemen opposite. Did not the noble lord know that special commissions were issued for the north of England, and for Scotland, to bring persons to trial, for the highest crime the law of this country contemplated—the crime of high treason? Did he not know that the scenes which gave rise to these commissions took place in the months of February and March last? Did not the noble lord know that meetings of armed men had taken place in Scotland? Was he not aware that, in one instance, a body of those armed men had acted in hostility to the regular troops? Had he not seen the proclamation that was posted up in the town of Glasgow, purporting to be issued by a provisional government—the object of those signing it being, as they stated, "to obtain their rights by force of arms?" That proclamation was issued about the time he had already mentioned. Seeing those things going on in the months of February and March last, could any man suppose that the country was in such a state of security as would justify ministers in throwing aside those measures of precaution which they had formerly adopted? But it was observed, "the country is now tranquil." This he admitted, and that very circumstance only proved the soundness of the measures taken by government. But he must contend, that the success of those measures formed but a weak reason for setting them altogether aside at the present moment. The noble lord had in the course of his speech brought very grave and serious charges against his majesty's government. He had accused them with an intention of establishing a military despotism in this country. That stale, and for the one thousand and first time worn-out charge, was more fit for the audiences that assembled in Covent-garden, in Smithfield, and Palace-yard, than for those that were to be found in that House. If there were any man who could really bring himself to think that ministers were so senseless, so utterly lost to thought, as to endeavour to establish a military government in the country—if any man could suppose that they meditated the overthrow of that constitution by which, and under which, they governed—if any man could be found to entertain such an opinion of his political opponents—he, from his heart, felt nothing but pity for the political bigotry which must influence that individual. No man could mix much in public life in this country—no man who had the slightest opportunity of witnessing daily and hourly, in private life, the blessings derived from the constitution under which they lived, could entertain any other feeling but a determination, if necessary, to sacrifice his life in its defence. If a man possessing those opportunities could bring himself to believe that his political opponents harboured a base intention to overturn the constitution, he could perceive very little difference between such an individual and those men who could really entertain such a determination. The noble lord said, he had watched with jealousy the strides towards a military despotism that had been made of late years. He would say, that if there were any set of men who could drive them to a military despotism, it was those self-called, but misled reformers, who demanded that sort of reform in the country, which, according to every just principle of government, must end, if it were acceded to, in a military despotism. It was said, that government met with the sword the complaints of the people. This was not the fact; they only met with the sword those who endeavoured to stir up, and to take advantage of, those irritated feelings which were the offspring of distress. The use of that military force was to keep down those outrages which had the worst effect on the prosperity of the country. Perhaps the noble lord thought it was immaterial to the industry and welfare of the country to be on the verge of a civil war? Those who knew the extent of those outrages would agree with him, whatever the noble lord might think, that any measure which tended to preserve the peace of the country tended also to maintain its prosperity. The veterans had not been called out unconstitutionally, but to defend from the machinations of traitors those liberties which they had derived from their forefathers, and which, he hoped, they would transmit, unimpaired, to their children.

Colonel *Davies* said, that he had been long of opinion that the country suffered under a military force, which it did not require, and that in the different departments of the army there was a shameful waste of expenditure. The hon. colonel next adverted to the public meetings held through the country, which were not, in the opinion of those who attended them, of an illegal description, and did not, at all events, require an increase of the army; for if the peace of the country were seriously threatened, he would much sooner depend upon the exertions of the gentry and the loyal and well-disposed part of the people, by far the most numerous body, than he would upon the dangerous and unconstitutional interference of military power. The actual force in 1819 was equal to all purposes of protection against foreign or domestic enemies. The only pretext for the increase of that force was, the extraordinary apathy of the people who had property to defend in the disturbed districts of England. In Scotland there were 7 or 8,000 volunteers and yeomanry. In Lancashire there were but 500 yeomanry, and not a single volunteer. If the great body of the people were really tainted with revolutionary principles, the addition even of 50,000 men to the military force would not subdue them, but would add fuel to the flame. The history of France and of Spain, and of every other country that had undergone a revolution, proved this. If, on the other hand, the mass of the people were well affected, they should be called on to defend themselves. He should suggest that, as the noble lord (Nugent) wished not only to record his opinion against the ministry, but to relieve an impoverished country, he would alter the form of his motion. He hoped (if he might use the expression) that he would put it into intelligible shape [A laugh]. He explained—that if the noble lord proceeded upon certain data, by bringing back the army to the state in which it stood before the last increase, he might afterwards, if that force were found too great, propose a further reduction. In order to put the motion in a shape as little exceptionable as possible, he should propose an amendment on the amendment, to move that the number should be 80,479, instead of 77,224, as proposed by the noble lord.

The motion and the two amendments having been put,

Sir *H. Vivian* said, he was as great an enemy to a military despotism as the noble lord, but he thought it was the duty of government to protect the well-affected. When he considered the state of the public mind during the last autumn, and recollected the blasphemous and seditious publications that were disseminated, he could not but congratulate the country on the escape it had had. The hon. member then proceeded to describe the disaffected state of the population in the west of Scotland, where he had been employed on the staff. It was, he observed, almost impossible to describe the disaffection which existed in Glasgow and its vicinity, where the population amounted to 300,000 souls. They had forgotten their duty to their magistrates, to their ministers, and even to their God. In that part of the country there were not fewer than 25,000 men prepared in every respect, but that they wanted arms, to resist the constitutional authorities of the country; while there had been but two infantry regiments and one regiment of cavalry to oppose them. If the object which so many mischievous men had in view had been carried into effect, who could contemplate without horror the events that would have taken place? The yeomanry had undoubtedly come forward, and in the handsomest manner; but he could not help deprecating the employment of yeomanry corps to put down popular commotions. The unfortunate events at Greenock, he believed, would not have taken place if regular forces had been employed. In conjunction with regular forces yeomanry corps were good and useful; but when employed against popular combinations, they occasioned great animosities. At Manchester, he firmly believed that the yeomanry had only been employed as military constables, and not for the purpose of attack, and that the mob had taken advantage of their being yeomanry to attack them. Commotion and insurrection were more likely to be attempted against a small force than against a formidable force, and for the saving of a few pounds they ought not to run the risk of occasioning bloodshed in the country. It had been said that all disturbance had been subdued; but how could it be maintained that the spirit of the proclamation issued on the 1st of April—not an unappropriate day—had been entirely suppressed? It could not be doubted that the disaffected would have come forward and acted more violently, but for the force opposed to them. No one who read the papers of this morning, and who recollected the circumstances and scenes of the French revolution, could contend that there was not a manifest necessity for keeping up a formidable force—a force that could successfully be opposed to the foes of the country either at home or abroad. He begged not to be understood, in these remarks, to be advocating by any means the interests of the army.

Mr. *Hobhouse* spoke as follows:—

Mr. Speaker;—In better times than the present this great national question would not be left to the feeble defence which I can pretend to afford to it. In the absence, however, of abler advocates, and representing, as I have the honour to do, a large portion of this enlightened metropolis, I shall offer a few arguments in behalf of that which I presume to consider the rights and liberties of my country, now menaced by the proposition of the noble secretary at war. The noble lord has told us, that the speech by which the noble mover of the reduction of the estimate introduced his amendment, was fit only for the hustings of Covent-garden or of Palace-yard. The noble lord, although living not far from these scenes, seems not to be aware that,—thanks to the exertions of his colleagues,—the people are shut out from one of those arenas for discussion, and that the same salutary interference has left the other open only at stated times and seasons. The noble secretary has also told us, that the speech of the noble mover was calculated only for reformers—to this I will say, that whomever that speech may be calculated for, I am sure that the noble secretary's is calculated only for those who are predetermined to vote for any proposition tendered to them by a secretary at war [Hear, hear!]. I cannot boast of any familiarity with debates in this House; but I have not failed to acquaint myself with the arguments adduced by former ministers in defence of a large standing army in time of peace; but I must say, that any thing so totally nerveless—any thing so devoid of all attempt at rational excuse for a monstrous project never was before offered to this House. And what is it that the noble lord passes over with such trifling efforts? What is it that he scarcely deigns to attempt to render palatable?—It is no less than a standing army in time of peace—in the sixth year of peace—an army of which there is no example or any thing approaching to an example, in the whole course of English history.

Even were we inclined to believe that such an enormous force were necessary, still I contend that nothing which the noble lord has said can at all warrant the raising of 11,000 men or of raising one man, during the prorogation of parliament. The noble lord has asserted, that this is not contrary to the constitution as declared in the Bill of Rights. What, then, is the meaning of the words "by consent of parliament?" Surely the raising a body of troops while parliament is not sitting, and trusting to the compliance of some House of Commons that perhaps may be prorogued some months longer, or may sit after the troops have done their work and are disbanded, this interpretation, I say, of the Bill of Rights is altogether new and untenable—indeed, it is so new, that in former debates upon raising forces, we find no such pretext that I am aware of, for infringing the letter and the spirit of the statute—quite the contrary—for in 1751, when the Militia act was under discussion, the principal speaker for that act recommended it because, said he, "if an enemy should land, or any emergency should arise during a prorogation of parliament or absence of the king, we could not raise a body of regular troops, the consent of parlialiament being necessary" [Hear, hear!]. It is fair to call the attention of the House to former periods of our history. What has been done then, may certainly be referred to in opposition to what is attempted now. I knew very well that the noble secretary at war asserted in 1818, whilst debating the same subject, that we might as well go back to the days of the heptarchy as to the year 1792, for a precedent as to the forces requisite to be kept up during peace. This day he has been less extravagant; but he has still said, that the circumstances of the two periods are so different that the peace establishment of 1792, cannot in reason be followed in framing the peace establishment of 1820. The noble lord may say this—but that he can prove it I am inclined to doubt. In 1792, it is true, this country was at peace—but what sort of peace was it that we then enjoyed? It was a peace that the ruling politicians of the day proclaimed could not last. Some parts of Europe were in actual war—the alarm was sounded here—and, the supposed dangerous principles of the French republicans were said to be arrayed against us, and to require the immediate opposition of all the lovers of peace and order. But in 1792 the nominal standing army for England was only 15,000 men, and it is likely that the effective army was much less. The next year, however, affords a still more striking parallel. The interval of twelve months had presented a variety of momentous events—all Europe was engaged in a severe contest—Great Britain herself was on the eve, if she had not actually declared, that war which was doomed to swallow so many hundred millions, and to desolate the fairest regions of our hemisphere. Yet, let us ask how many fresh troops were embodied in that year—a year of alarm almost unparalleled—only 2,000! And now, in a year of profound peace—when there is not a single sword unsheathed throughout Europe, his majesty's ministers, without assent of parliament, raise eleven thousand troops, and thus increase the peace establishment to the unheard of number of 35,569 for Great Britain, and 24,179 for Ireland!

What are the excuses—what is the pretext for so monstrous a measure? The noble lord gravely tells us that, in the first place, we have had some thirteen or twenty men plotting in a hay-loft to upset the state—and this machination requires an additional eleven thousand soldiers to resist. But no; this is not quite all—we have some other cause for this great levy—there have been and still continue to be state trials in several parts of the country. This is more strange even than the other pretext. What do we want eleven thousand additional troops to protect the tribunals of the land? Do our judges administer the law amidst the din of arms? Are we not repeatedly told that our juries are doing their duty and our laws working their due effect in correcting the evil portion of the community? If so, why raise more soldiery? Why, ask the noble lord, and he will tell us that the more active the civil power proves itself to be, the more vigorous and determined his colleagues should be to augment the military force [Hear, hear!]. Certainly, Sir, I would grant much, as the noble mover of the amendment has said, to the urbanity of the secretary at war. Indeed I would grant any thing to that urbanity—any thing but a measure which must destroy the liberties of my country.

I shall think it my duty to vote for the amendment of the noble lord rather than for that of the gallant colonel; and for this reason, because the reduction proposed by the first is greater and goes farther than that proposed by the second. Indeed, for my own part, had the noble lord proposed the disbanding of the whole army at home, I should vote for it [loud cries of Hear, hear! from the ministerial benches]. Sir I perfectly understand those cheers—but I trust that the gentlemen opposite will not think that I shall be intimidated by them. They are, it is true, backed by a majority within, and by the military without the doors of parliament. I am supported only by a consciousness that I am doing my duty, and with that consciousness, I am content to have any interpretation put upon my words. I do not look at this question in detail—I consider only the principle—I think that this country should not be governed by a standing army—and I would rather disband the whole army than suffer it to remain at its present enormous amount.

The gentlemen opposite think it somewhat hard that they should be suspected of entertaining any design of governing the country by the sword—if they do not mean this, what do they mean by this ninety-two thousand men in time of peace? These numbers are not mere figures—they have their existence elsewhere than in this paper—they are not the soldier shadows of a magic lantern—they are substantial men in arms—they are now living and moving amongst us—they infest our streets—they elbow us in every walk, and give to this peaceful metropolis the air of a barrack. The gentlemen opposite think it hard that they should be thought to harbour the same designs as those who have before raised standing armies in other countries. They try the same means but with purer ends—whatever their ends may be I know not—but I will say with the celebrated Fletcher of Saltoun, "whether our enemies shall conquer us is uncertain, but whether a standing army shall enslave us, neither reason nor experience will allow us to doubt."

I am really afraid of tiring the House by referring to authorities in the earlier periods of our history—it has become the fashion lately to regard all such references as the resort of shool-boy rhetoricians. The mere practical means of keeping down the people seems all that we are bound to consider; and I protest that since I have had a seat in this House, I have often thought myself amongst an assembly of armed colonists in a conquered country, debating how, and in what proportion, they should spare or extirpate the unfortunate natives. If, however, I may be permitted to say a word of happier times [Hear, hear!], I would ask the House to recollect that this nation has always been extremely jealous of any standing army. We all know that the raising of some fifty yeomen to guard the palace of Henry 7th was regarded as a monstrous innovation upon national manners. The defenceless condition of the great Elizabeth, defenceless as far as soldiery were concerned, forms one of the most touching traits of our history. The Stuarts were stopped the moment they began to raise an army for general purposes. The remonstrance of the Commons, in 1628, complained of the continuance of a small army, and of the appointment of the duke of Buckingham as commander-in-chief. The first body of standing troops ever raised and continued in England was that of Charles 2nd: in 1677, that king had an army of 5,890 men—this was reckoned intolerable; but our foot guards alone now amount to 5,760 troops. The parliament made many remonstrances with the king, and even gave him a sum of money to disband them; they voted a member to the Tower for saying that the king had a right to a guard for his person, and they came to this resolution, "that it was necessary for the safety of his majesty's person, and for the peace of the government, that all forces raised since 1677 should be disbanded." Now, Sir, this parliament was reckoned the most base and compliant that ever sat—this was the infamous pension parliament, and pensioned as it was, it would not bear a standing army. The king dismissed the parliament; but the next that was called had equal jealousies; it voted the army a nuisance, and declared that "the continuance of standing forces in this nation, other than the militia, is illegal." Charles did not ask his parliament to pay these troops, and yet I now find that there are some persons who think that the Mutiny bill only provides payment, and that the sovereign may retain as many troops as he chooses to pay from his own purse. King James 2nd augmented the 5,800 of Charles 2nd to 30,000—we all know how that experiment ended. Yet we have now a standing army of 35,000 men in Great Britain alone. It is true that they are not all encamped at Hounslow Heath; but if this House should ever do its duty by the people of England, they may be encamped there, and it is impossible to foretell the issue.

What did our ancestors in the time of William 3rd? This prince, if any, might have been allowed a small army at least—his eminent services, his noble character might have raised him almost above the suspicion of his subjects, but after the peace of Ryswick in 1699, the parliament would allow him only 7,000 men for the service of Great Britain and her colonies, then scarcely pacified—and only 12,000 for Ireland, of which he had only military possession. He struggled hard to retain his Dutch guards; but this House did its duty by the public; the Lords did their duty; the ministers did their duty, and the king was obliged to dismiss those very troops from England with whom and by whom he had in part fought for and conquered the liberties of England. After the peace of Utrecht, the standing army amounted only to 7,000. Even during the disputed succession, and in 1715, no more than that number were in arms in the kingdom, and they were enough to put down a rebellion; for the rebellion in 1715 was suppressed before the 10,000 troops came from Flanders.

Sir, it is from these times that we must date the origin of the present system: then it was that it was discovered that there was no other way to rule this country than "by a standing army and a standing parliament," those twin-sisters, as a gentleman who represented the city for which I have the honour to sit, called them, which were born together, have flourished together, and must die together. We know when and how they were produced; we have witnessed their increase; and as they have flourished we have declined. Let us hope that a restoration to our pristine health and vigour may cause the death and destruction of both. Let us hope that we may return to our ancient salutary practices, and by choosing such parliaments as shall fairly and fully represent the people, secure their affection and obedience without the restraint of an overgrown military establishment. I pray the House not to regard this as the intemperate raving of a mere innovator; these doctrines are but the doctrines of the political ancestors of every party that is now to be found in this House—the Tories and the Whigs and the ancient reformers, all have held this language, which is, indeed, only the language of the constitution: this was the language of Shippen, and of Bromley, and of Walpole himself, in 1718. It is true that Walpole, by becoming a minister became a convert to standing armies, but his early conviction resisted the fatal infringement upon the free usages of Englishmen. This was the language of Pulteney, and of Wyndham, and of Chesterfield. The Journals of both Houses record the struggles made against the increase of the peace standing armies. Disaffection always was made, as it is now made, the pretext for the measure; but the opposition lords in 1721 protested that the augmentation of the standing army was more likely to increase than to diminish the disaffection. Similar sentiments are to be found in the debates of 1732, of 1738, and of 1749. In the great struggles of the year 1718, it was roundly declared—what indeed there is no denying—that this Mutiny bill, by which martial law is extended to life and limb during a time of peace, was "contrary to Magna Charta, and inconsistent with the rights and liberties of a free people." Such was the language of the peers who protested in 1718, and those who read Blackstone may see his opinion on the dangerous, the cruel, the unconstitutional condition to which this Mutiny bill reduces a portion of our fellow subjects.

But what was the number of troops

against which the great men whom I have mentioned raised their voices and recorded their protests? From 1716 to 1749, I find no greater rise in the standing peace army than from 16 to 18,000 men. The wit of Chesterfield—the eloquence of Windham—the sober declamation of Walpole—were arrayed against no more than 18,000 men, and this comparatively insignificant number, seemed so terrific in those days, that lord Chesterfield, combatting the pretext that "the consent of parliament" saved the infringement of the Bill of Rights, loudly proclaimed that "if the keeping up a standing army in time of peace, as it must be, if it be inconsistent with our constitution, the sanction of parliament cannot make it right [Hear!]. I am at a loss to discover at what time Englishmen became familiar with these vast establishments; I believe that the duke of Newcastle made greater inroads on the constitution in this respect than any former ministers. In 1774, we had 40,000 troops altogether; but after that period the peace establishment bore no proportion to the present vast body of forces arrayed under pretext of enforcing the laws. In 1786, the whole army amounted only to 29,000 men. In 1792, the effective force for Great Britain was only 15,000—and in 1793 only 17,000. Even in 1818, if I may trust the parliamentary debates, the noble secretary at war said, that though the apparent force for Great Britain stood at 26,000 men, yet the actual force which could be brought to act upon the people was only 18,000 men." But we have now 35,000 for Great Britain alone—and for what? The gallant general who spoke last has told us, that in the North a body of 25,000 men have been seen in a state of discipline which has surprised his informant—25,000 men performing military evolutions together and wanting nothing but arms. Sir, to want arms is to want every thing—all we complain of in the 35,000 men is that they have arms; if they had not, we should be perfectly indifferent to them—or we should love them as our fellow subjects. But does the gallant general really think that these 25,000 men would not have been seen by some other person than his informant? would these 25,000 have not been paraded by all the ministerial journals? and where did this happen? The gallant general knows better than I do how much ground it requires to allow 25,000 men to perform any military evolutions, or even to stand at all: this scarcely seems a serious statement. The gallant general adds, that a general disinclination prevails amongst the people of those districts against their ministers—against the king's ministers I can easily believe. But it appears to me that the gallant general has given up his point when he tells us how very few regular soldiers are able to quell a disturbance. If few can perform this duty why ask for many—Oh! says the gallant general, a few are good, but more are better—a few can disperse—but more can intimidate; at this rate there is no use to dispute against raising a standing army to any given number—for if the doctrine is that we are to have more than enough—if assurance is to be made doubly sure—then there is no line to be drawn and the present policy must end in a complete military government [Hear, hear!].

Depend upon it, Sir, that the disaffection of which we have heard this night, arises solely from systematic misgovernment. The people of this country are not impatient, by nature, of all rule—the dislike to government with which they are charged, does not belong to them; they are naturally roused to complain of the evils brought upon them by the present system—but if I might presume to advise, I would answer these complaints not by the sword but by removing the grounds by taking away the materials of disaffection. But even if the sword is the only remedy there can be no reason for so enormous a force. In 1715, the disaffected—a good half of the population—were kept down by 7,000 men. In 1745 a second rebellion was quelled by 17 or 18,000 men. In 1792 and 1793 when the constitution was to be upset positively for the last time of upsetting [a laugh] 17,000 men were thought enough for the service of England. Look to our own times—when in 1817 there was an insurrection, or at least something so called, in the capital; Mr. Alderman Wood dispersed it with 40 men and his own constables; the rebellion at Derby was put down by one officer, one magistrate, and eighteen dragoons; at Manchester 100,000 men were put to the rout by 40 flushed, not to say drunken, yeomen. What then do we want 35,000 soldiers for? The gallant general has said something about blasphemy and blasphemous publications. In his view of the question I presume that the worst blasphemy is sedition, or animadversions on the earthly powers that be; but even allowing this I do not see how the eleven thousand men just raised are to prevent the people from reading—to extinguish their curiosity—to put out their eyes [a laugh]. No, Sir, this scheme will fail. This remedy will be found altogether inapplicable. All the publications in the world would not be worth the paper on which they were written, if they had no real grievances of which to complain—remove the grievances and laugh at the complaints—retain the grievances and no force whatever will be able to smother the voice of anger and regret and indignation which will arise from all parts of the country. Indeed if the cause for complaint remains I trust that there is still spirit enough left in this country to prevent a total suppression of our complaints by any military force however large. In such a case I trust that 92,000 or (to speak at large) 92 hundred thousand would still be too weak for the whole of the remaining population. With this hope I shall conclude, thanking the House for their attention and the noble lord for his motion [Hear, hear!].

Mr. *Vesey Fitzgerald* said, that though he was aware that a sense of duty actuated the hon. member who had just sat down in delivering his sentiments to the House; yet he could not help noticing some of the opinions of that hon. gentleman. He should not attempt to follow him through all his arguments, but he would beg leave to call the attention of the House to one sentence in which he had said, that he would vote for the disbanding of the army altogether. He would not quarrel with the conclusion arrived at by the hon. member because he was confident that the House would not be induced to ground a vote on it. He would call the attention of the House to the state of the country with which he was connected, and declare it to be his conviction, that unless some precaution was taken before the next session the force now in Ireland would be insufficient. He spoke of the western districts. He had been present at public meetings where unanimous applications had been made for additional troops. The majority of the people was not disaffected. The middling classes of the country and the proprietors were loyal, and opposed to every treasonable practice. Within the last two months peace was preserved in one county only by the introduction of one quarter of the troops which the hon. member had said, would be sufficient for Ireland. He called upon the hon. member for the county to which he had alluded, to say, if the inhabitants did not, contrary to the wish of the government, call for some additional force. He should be the last man to oppose a reduction at a proper time; but he thought a sudden reduction would be attended with danger, and in the peculiar situation of the country, he would not lend himself to such a proposition.

Mr. *W. Smith* said, that the reduction of the army, like the question of reform, was one of those points, the advantage of which was always admitted, though the time for adopting it never arrived. He did not like to hear the interests of the army spoken of in that House; for in that House they could not be said to have any interests as separated from the country at large. With respect to Ireland, it struck him, that no greater censure could be pronounced upon the system of government than what was implied in the necessity of a large military force to prevent insurrection and rebellion. Ireland had none of the marks of a well governed country, whose characteristics were a happy and a contented people. Unless different measures were adopted, they could govern that country only by the musket and the bayonet, and would find it a source of weakness instead of strength. He would not go the length of his hon. friend and vote for the abolition of the whole army. Our garrisons abroad must be maintained.

Mr. *Hobhouse* explained that he had said " at home."

Mr. *Smith* continued. He would not say that the army was maintained for the express purpose of subjugating the liberties of the country, but he would say what was perhaps as offensive that it had been kept up partly from habit. We had gradually been accustomed to 7 000, 18,000, 35,000, and 70,000 men. We had become accustomed to millions in finance, and thousands of men in the army. The taxes ground down every class in this country, and the greatest discontent arose from that cause. The interest of the national debt was the great enemy that caused distress and disaffection; that increased sedition, if not blasphemy in the country. The influence it gave to ministers was one reason for so large a standing army.

Mr. *Martin*, of Galway, said, he would tell the hon. gentleman opposite the reason why he thought a large standing army necessary. They themselves, were in a great degree, the cause of its being kept up, by perpetually saying that the government of the country had no feeling for the sufferings of the myriads that were starving, whilst it was in their power to administer relief. He would gravely ask those gentlemen whether, by putting such arguments in the mouths of the radicals, they did not afford them a pretence to meet in arms to depose a government so destructive to the country? He entreated those gentlemen, if they wished to do away with the standing army, to have done with such arguments. He entreated them, if they wished for peace, to tell the people that the government were doing all they could to procure them relief. He regretted that questions should have been put to the chancellor of the exchequer respecting the propriety of making advances of money to relieve the distress experienced in the south of Ireland. As he thought that the motion which he had made, in the last session of the late parliament, had served to recommend the hon. gentleman (Mr. Hobhouse) to his seat, he should make no apology to him for what he had then said. At the same time he must say, that that hon. gentleman had given an example how far a man could be improved by the company which he kept. He congratulated him on the temper and moderation with which he had spoken. He had never heard a more constitutional speech from the gentlemen by whom the hon. member was surrounded. But let him not hope that he should be able to reform them, as far as he had been reformed himself. He had never seen a speech more radically reformed, compared with that which he had expected the hon. member would have entertained the House. If the mob had beeen told that the House were not their legitimate representatives—if they had been told to come and take the members by the ears and drag them out—[Cries of "Order, order, order! Chair, chair"].

The *Speaker* was satisfied that he needed only appeal to the hon. gentleman whether his observations in the first place had any thing to do with the subject before the House, and whether, in the second, they were consistent with order?

Mr. *Martin* was ready to bow to the authority of the Chair, but if those expressions were offensive to the House, he did not think there was great delicacy in sitting in the same House with the man who had used them.

The *Speaker* was sure the hon. member would thank him for giving him an opportunity of explaining that which he was convinced was not offensively meant, though it was most offensive to the House, and might be deemed so by one of its members.

Mr. *Martin* stated, that nothing was farther from his intention than to say any thing offensive to the House, or to any of its members. He was most penitent, and asked ten thousand pardons.

Lord Nugent rose to reply; when the Speaker observed, that the question before the House was, whether the numbers should stand as in the original clause, to which the noble lord had moved an amendment, which had been since followed by another. The noble lord could therefore only be heard in explanation. The question being put, "That 92,224 stand part of the question," the House divided: Ayes 101. Noes 46. The bill was then passed.

List of the Minority.

Aubrey, sir John
Althorp, viscount
Benett, John
Barratt, S. M.
Bright, H.
Bernal, Ralph
Carew, R. S.
Creevey, Thos.
Calcraft, J. H.
Duncannon, viscount
Ebrington, viscount
Griffiths, J. W.
Guise, sir W. B.
Gurney, R. H.
Hughes, col.
Hurst, Robt.
Hume, Jos.
Heathcote, Gil.
Hobhouse, J. C.
Harbord, hon. E.
Harvey, D. W.
Honeywood, W. P.
Haldimand, Wm.
Lambton, John G.
Lushington, Dr.
Lloyd, sir Ed.
Martin, John.
Milton, visc.
Monck, J. B.
Palmer, C. F.
Parnell, Wm.
Power, Rd.
Pym, F.
Robinson, sir G.
Ricardo, David
Rumbold, C.
Smith, hon. Robt.
Smith, Wm.
Sykes, Dan.
Wilkins, W.
Wood, ald.
Whitbread, Sam.
Western, C. C.
Winnington, sir E.
Williams, Wm.
Webb, Ed.

TELLERS
Nugent, lord
Davies, col.

HOUSE OF LORDS.

Friday, June 16.

INSOLVENT DEBTORS BILL.] On the first reading of the Insolvent Debtors Bill,

Earl *Grosvenor* adverted to the case of persons imprisoned for contempt of courts of equity, observing, that those who were imprisoned for non-payment of money could, he believed, take the benefit of the Insolvent act; but there were others who were imprisoned for refusing to obey orders of court, who could not be relieved under that act. He was aware that considerable difficulties stood in the way of granting any relief to persons in that situation, and only mentioned the circumstance that the attention of the noble and learned lord on the woolsack might be called to it.

The *Lord Chancellor* observed, that he would be very much obliged to the noble lord or any other person who could show him how relief could be administered in cases which really deserved it; but the subject had been much misunderstood. The committals for contempt generally arose in consequence of the party refusing to do some act ordered by the court. Now, if the party had the power, and refused, his case was similar to that of a debtor, who, though he had the means of payment, allowed himself to be taken in execution, and chose to remain in prison; and if the present law did not apply to such a debtor, why should it in the case of contempt? In fact, it was not the law that imprisoned the party, but the party that imprisoned himself. Suppose an individual, who is entitled to have the conveyance of an estate from another, calls upon a court of equity to make an order to that effect, and, when the order is made, the individual refuses to obey, and is thrown into prison, was it the fault of the court that the individual rather chose to remain there than to make the conveyance? If there were any cases to which relief could with propriety be extended, he would most readily concur in any measure to that effect. But their lordships must be careful that such measure was consistent with the principles of justice. It was impossible to give relief in cases where men, to the injury of others, refused to do acts which they were legally called upon to perform, and instead of obeying the order of the court, by which they would be relieved, rather chose to stay in prison and complain.

Secret Committee on the Papers relating to the Conduct of the Queen.] The Earl of *Liverpool* rose to move to discharge the order for the meeting of the secret committee to-morrow, with the view of fixing it for Tuesday next. The same considerations which induced him to propose the postponement on Monday last were still in force. He had proposed the first delay on the ground that discussions were actually pending which were sufficient to induce him to recommend that course; and, for the same reason, he now proposed a farther adjournment.

The Marquis of *Lansdowne* did not wish to oppose the motion of adjournment; but he could not help expressing his surprise at the extraordinary nature of the proceeding. He believed this was the only case in which a measure adopted on a communication from the throne had been suspended without any public reason being assigned for the interruption, or any fresh communication on the subject being received from the throne. At the same time he believed there were very strong and cogent reasons for the course which the noble earl now recommended —reasons so strong and cogent as to supersede the orders and usual practice of that House, which were themselves of the greatest importance. Their lordships must, however, now clearly perceive the singular and extraordinary predicament in which they had been placed by the hasty appointment of the committee. When, however, the whole business should be brought to a conclusion, he hoped the noble earl would find some means of explaining the extraordinary circumstances which had taken place to the satisfaction of the House, and that the transaction would be entered on the Journals in a way to remove all future doubt or difficulty on the subject.

The Earl of *Darnley*, though he did not object to the motion, found it impossible to avoid expressing the sense he entertained of the disgraceful state into which the House had been brought, in consequence of following the advice of the noble lord opposite, and appointing the committee. He hoped their lordships would on future occasions weigh well the consequences of their decision before they came to a vote which might involve them in so much inconsistency. He hoped and trusted they would take warning from what had taken place in this extraordinary proceeding.

The Earl of *Liverpool* had no intention of saying any thing more on the subject than what he had stated on moving the adjournment of the committee. He would willingly have let the matter stand as it was left by the observation of the noble marquis; but, in consequence of what had been added by the noble lord, he thought it necessary to say a few words. He should, however, only remind their lordships, that on a former day, when he moved the adjournment of the committee, he had stated that, with reference to the subject on which it was appointed, certain explanations and discussions had been opened, which might or might not lead to some adjustment, and that he made the motion expressly because he understood that both in that House and in another place, a wish prevailed that an opening should be left for some arrangement. Under these circumstances, he felt no impropriety in moving an adjournment on Monday last, and in repeating a similar proposition now. The noble marquis had expressed a hope that the circumstances which had occurred would be explained. Upon this he should only say, that, whatever the alternative might be, he was confident that the course which had been adopted would be satisfactorily explained to the House.

The Earl of *Darnley*, notwithstanding what had been said by the noble lord, still felt the weight of the difficulty in which the House was placed, which had arisen from their lordships being prevailed upon to agree to the appointment of a committee before it was known in what way the other House would proceed. It had been expected that the other House would have been as pliant as their lordships House; but in this ministers were disappointed. The concurrent vote which was anticipated had not taken place: and, in consequence of their lordships reliance on the opinion of the noble lord opposite, they were now placed in a most extraordinary and unprecedented situation. His noble friends had fully warned their lordships of the difficulty into which they were about to entangle themselves, and they must now be sensible that if their advice had been followed it would have been avoided.

The order for the meeting of the committee was then postponed to Tuesday.

Royal Marriage Act.] Lord *Holland* rose to bring in a bill for the repeal of the Royal Marriage act. It being the unquestionable privilege of a peer to introduce a bill without asking leave, and it being so much the practice of the House to have a bill read a first time on its being presented, that any objection to such a course was not to be expected, he intended to move the first reading of the bill which he now offered to the consideration of their lordships. These circumstances rendered it unnecessary for him to make any observations in support of the measure in its present stage. As, however, some misrepresentation of his intentions had gone abroad, he should say a few words on the object of the bill, which indeed was easily described, as it was simply the repeal of an act of parliament. The statute which he proposed to abrogate was that of the 12th of the late king, commonly called the Royal Marriage act. That statute provided for previous communications to parliament on intended marriages; it states, that as those marriages are of great importance, it is necessary they should be regulated; and it goes on to enact, that the descendants of George 2nd should not marry without the consent of the reigning king; and that in future no marriages of any members of the royal family should be legal without the consent of the sovereign. It is, however, provided, that if a member of the royal family, having attained the age of 25, shall wish to enter into a marriage which is disapproved by the king, the case may be laid before the privy council; and if, after the expiration of one year, parliament does not interfere, the marriage shall be legal. Penalties were imposed by the act, and all persons assisting or present at such marriages were made subject to premunire. What might be urged in support of the repeal, or stated in reply to objections to which it might be thought liable, had better be deferred to another period. He might, however, be now permitted to allude to what had taken place on the enactment of this law. From the accounts of what had been done when the measure was before parliament, it appeared that it had passed through that House with great rapidity. In the other House, the bill was warmly debated, and gave rise to many divisions, but it was not printed in its progress through parliament. It had been said of it by one who observed the transactions of the times, that it had passed after more having been said against it, and less for it, than any measure that ever came before parliament. It was not this circumstance, however, which induced him to propose the repeal of the act. He wished to remove it from the Statute-book, because he considered it a direct invasion of a natural right—a law hostile to morality, and calculated to promote not only foreign, but also civil wars. Besides these evils, it had, in his opinion, a tendency to render the marriages of the descendants of George 2nd unhappy marriages. It was not his intention to enter into any detailed consideration of these topics at present; but he had no hesitation in saying, that the last had more weight with him than those that preceded it in the order in which he had stated them, and that in any future discussion he should be induced to dwell more on it than on any of the other objections which he had to the act. This, however, was not the time in which he should choose to insist on this point. The same reason, perhaps, which had induced the noble earl opposite to be silent on the topics connected with the motion he had just made, induced him also to wave for the present the enforcement of this part of his argument. He wished, however, not to be misunderstood, and would therefore add one or two words to what he had already said on the view he entertained of the subject. Were he to succeed in proving, to the satisfaction of their lordships, that the tendency of the act was to render the marriages made under it unhappy, that surely might be an inducement to take royal marriages out of the predicament of ordinary marriages, and to place the application of the law to them on different principles — on principles which would give greater facility to their dissolution than in ordinary cases. As the object of the act was merely political, their lordships would be the more inclined to grant this relief, which would of course be applicable only to those on whom the effects of the existing law operated. It had been his intention to bring forward this measure in the course of the present session, but the circumstances which at present existed had hastened the execution of his design. If their lordships adopted the principle he had laid down, any future measure would be facilitated; for it would not be a sufficient objection to say, that the act was in force at the time the marriage was contracted, since the tendency of the act being admitted, it would follow that relief should be granted. In consequence of the misunderstanding which had prevailed respecting his notice, and to prevent its continuance, he had thought it necessary to say these few words; and he should now only move, that the bill be read a first time, intending, with the leave of the House, to have it printed, and to let it be for some time on the table before he should propose the second reading.

The Earl of *Liverpool* admitted that it was usual to allow a bill presented by a noble lord to be read a first time, but the noble lord was in error if he conceived this to be a matter of right. It certainly was the practice of the House to let a bill pass through the first reading unless it contained something so palpably gross as to render it inadmissible. He certainly did not mean to oppose the present motion; but at the same time he thought it necessary to observe, that he had the most decided objection to the principle of the measure proposed by the noble lord, and that he would at the proper time state the grounds of his objection.

Lord *Holland* in explanation, observed, that he had not demanded their lordships' assent to the first reading as a matter of right, but had stated that to permit a bill to pass through that stage was so much the usage of the House, that any noble lord to whom the same indulgence was refused would have reason to consider himself hardly dealt with.

The bill was then read a first time.

HOUSE OF COMMONS.

Friday, June 16.

East India Company's Volunteers Bill.] Lord Binning brought in a bill "to enable the East India Company to raise and maintain a Corps of Volunteer Infantry," and moved, that it be read a first time.

Mr. *M. A. Taylor* called upon the noble lord to state some reason for so extraordinary a proceeding in a time of peace, and when it had been resolved to disembody the corps of infantry. Until he had a satisfactory reason he must oppose such a bill.

Lord *Binning* said, he feared it was not in his power, in that stage of the bill to give a full and satisfactory reason for the measure. The East India company considered it proper to have such a corps in that part of the town, and it was necessary to apply to parliament to enable them to carry that measure into effect.

Mr. *Hume* said, he was aware of what the object of the volunteer corps was, and perhaps the House would be surprised when they heard that object, and the way in which it was intended to provide for them. The object was to protect the company's warehouses in town, and yet the expense was charged to the political department. There were, perhaps, some members not aware of the division of expense in the company's affairs. They came generally under two heads—political and commercial. For the political department the company were almost yearly raising loans in India, and yet with the incumbrances on that department they now wished to charge this new expense upon that head. But, independently of this objection, he did not see what need the company had of a volunteer corps for their protection. Why not for the Bank of England as well? They had property to protect equally valuable, and yet they had not thought of such a step as this. He therefore protested against the measure, as involving the company in unnecessary expense which they were not in a situation to bear.

Lord *Binning* denied that the affairs of the company were in the state described by the hon. gentleman.

Mr. *Creevey* considered it necessary, before the House agreed to such a measure, to ascertain whether the company were competent to meet the charge. That House should have the India budget before them, and a full inquiry into their actual condition.

Mr. *Bernal* did not see any disturbances existing to justify the raising of 4 or 500 men as volunteers in the heart of the metropolis. Without good grounds being offered to justify them, he would resist the measure.

Lord *Binning* could not help remarking, that the other night, when some allusion had been made to this subject, a gallant officer opposite had strongly called for the raising of volunteer corps in England, and his observations had been loudly cheered; yet the hon. gentleman now contended that they were quite unnecessary.

Colonel *Davies* did conceive, certainly, that the raising of such corps was the most constitutional increase which could be made to our military establishment, because it was an increase emanating from the people themselves; but, then, he contemplated that the standing army was to be reduced in proportion.

The bill was read a first time.

SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] Lord *Castlereagh* rose for the purpose of moving the order of the day for taking into consideration his Majesty's Message, with a view to its postponement until Monday next. In making that motion he would take the liberty of expressing his regret that he should be obliged to move the further adjournment of this important subject. Whatever might have been the issue of any proceedings which had been entered upon in regard to this question, he had hoped that he should be able to have communicated it, without being under the necessity of proposing a further adjournment. But, from the peculiar nature of the case, he trusted the House would not call upon him, considering the situation in which he stood, to explain the circumstances which induced him to submit this motion. He trusted that the hon. and learned gentleman opposite would agree with him that it was not proper to allow this question to hang on any longer; and that on Monday next they ought to be prepared to tell the House what had been the result of these most anxious but inevitable adjournments. He hoped that what he had said would meet with the concurrence of the House.

Mr. *Tierney* observed, that, now it was understood from the noble lord that there was to be no further adjournment after Monday, he would be the last person in the world to object to the proposition.

Mr. *Brougham* entirely concurred with the noble lord in the expression of that great reluctance which must be felt on both sides of the House, that any longer delay should take place, unless a most absolute necessity were shown. At the same time, the delay which had occurred hitherto, he must declare, had been perfectly unavoidable. He took upon himself to say that neither party had been to blame; and that it was impossible to show a greater wish to expedite the business than had been manifested by both throughout the matter. He begged leave to add, his own opinion was, that beyond Monday next no circumstances, so far as human probability could anticipate them, would warrant any farther adjournment of the business. He would beg to say one word more: he entreated that the House would keep its mind entirely in the same state that it was upon the first night this subject was broached; that it would consider that it stood now, and should stand upon Monday next, until the debate came on in precisely the same situation as before.

The motion was agreed to.

FAILURE OF BANKS IN IRELAND.] The *Chancellor of the Exchequer* laid upon the table a variety of papers and documents relative to the state of commercial distress in Ireland. The right hon. gentleman observed, that in submitting, on a future occasion, a specific motion connected with these papers, he should feel it his duty to propose a measure of relief similar to those which had been adopted in the year 1793 and 1811 by parliament. In answer to a question which had been put to him the other night by an hon. member, he had replied, that it was not proposed by his majesty's government to lay before the House any proposition of this kind; and by any other answer he felt very sure that he should at the time have exceeded the intentions of government. But his majesty's ministers having since received, from a variety of quarters, very many and very urgent applications for relief, they felt it their duty no longer to permit the matter to remain in this state, nor by their silence to warrant an apprehension that the distresses of any part of the United Kingdom were unheeded by them. He would here briefly notice what were the intentions of government in laying this subject before the House, and, in particular, what proposition it meant to offer, with reference to those measures which the lord lieutenant of Ireland, acting upon his responsibility, and expecting the sanction of government, had adopted, in consideration of the great public distress which recent events had occasioned in Ireland. He would state what the principal of those measures were. The House would be aware, that in 1817 a bill was enacted for the application of a particular sum of money in the execution of public works in Ireland. A very considerable part of that sum remained unappropriated, to the extent of about 100,000*l.* This fund the lord lieutenant of Ireland had felt himself authorized to issue for the relief of the aggravated commercial distress which prevailed in particular districts, under the management of certain commissioners, upon good security, and at the interest of five per cent. The measure which he should have first to submit to the House, would be to authorize future advances of this nature, from time to time, to such an extent as might be thought necessary; such sums together with those already advanced, not to exceed 500,000*l.* Whatever reluctance might reasonably be entertained to entering upon a question of this kind, on the ground that such cases should be left to the operation of the ordinary causes affecting them, yet he was sure the House would feel that the present was a state of things which made it most desirable and necessary that they should interfere promptly and effectually.

The question was then put that these papers be referred to a committee of the whole House to-morrow. The House having resolved itself into a committee, the papers were then read, and, among them, a letter from a Mr. Jones of Cork, dated May 29, inclosing a petition of that city to the lord lieutenant, stating the disastrous condition of that part of Ireland by reason of the stoppage of the two principal banks, and the consequent disappearance of a circulating medium. It was signed by the mayor, recorder, and principal persons of the corporation; and stated that the amount of the notes of these banks in circulation was 350,000*l.* The next document was a letter from Mr. Gregory, secretary to the lord-lieutenant, acknowledging the receipt of the above petition. After a single remark from Mr. Tierney,

The *Chancellor of the Exchequer* admitted that the grant alluded to in Mr. Gregory's letter was made not for the purpose of relieving commercial distress, but of employing a certain sum upon the erection of public works. The House would feel that it was the duty of the lord lieutenant, and of the government here, to bring this subject as early as possible under the notice of parliament. The application of the money by the lord-lieutenant was certainly in some degree irregular, and the first object to which he should have to call the attention of the committee would be, the obtaining of a vote extending its sanction to the purposes to which the money had been so applied. Since the date of the petition, the House could not be ignorant that the most distressing and calamitous events had befallen Ireland; they could not be ignorant of the great depression under which commerce, and indeed every individual, laboured. He thought that they would immediately see the analogy between the present case and the measure brought in by Mr. Pitt in 1793: that was intended at the time to preserve the stability and circulation of the country banks. Under very peculiar circumstances Mr. Pitt, for the first time, made a similar application, by calling on parliament for an aid in their favour to a large extent; and that measure was attended with so much success, that, without any loss to the public, the evil was promptly and effectually removed. In 1793, the sum of 3,000,000*l.* was issued for this purpose, but not more than half that sum was ever actually demanded: 500,000*l.* were appropriated to Ireland, but there not more than 150,000*l.* were ever actually claimed. In the present instance, considering how much the circulation of Ireland was diminished, it was his intention to move for a grant of 500,000*l.* In addition to its circulation at the former period, Ireland possessed the paper of her national banks, which had been long established; they did not now exist, and therefore the evil occasioned by their failure was greatly increased. The effect of this grant would be a most desirable one—the increase of their circulation. It was proposed to found the present measure upon the same principle as had been observed in 1811, viz., that the bounty of parliament should be placed at the disposal of certain commissioners who were to examine and deliberate upon every case: he should have therefore, to move also, that these sums be placed under the management of similar commissioners. It would be for the House to consider whether any farther restriction should be laid upon the issues of this grant, and upon that subject it would be necessary that a communication should be had with the lord-lieutenant of Ireland before the bill should be passed into a law. He was sure the House would see the necessity of sanctioning, by its vote, an application, the concession of which showed to the alarmed and anxious people of Ireland that parliament, in the consideration of their distress, had not lost sight of its duties. He therefore moved, " that whatever sum or sums have been or may be advanced by the Bank of Ireland to such merchants, traders, and manufacturers, as are possessed of funds ultimately more than sufficient to answer all demands upon them, but who have not the means of converting those funds into money or negotiable securities in time to meet the pressure of the moment, under the direction of commissioners appointed or to be appointed by the lord lieutenant of Ireland, not exceeding 500,000*l.* should be made good by this House, together with an interest, at the rate of 5*l.* per centum, from the date at which such sums shall have been or may be advanced respectively."

Dr. *Lushington* felt assured that the House would hear what had fallen from the right hon. gentleman with great regret. He had taken for his precedent what Mr. Pitt had thought fit to do in 1793. To the best of his recollection, Mr. Pitt, perceiving that the country bankers were in danger of stopping, and that the circulating medium in consequence would be greatly diminished, had determined to afford them assistance; but the right hon. gentleman seemed to have forgotten that that assistance had been given in consequence of the recent commencement of a war, and of the occurrence of other events which country bankers could not have anticipated. But in the present case the chancellor of the exchequer had not thought fit to state any of the circumstances that had led to the failures in question, and he (Dr. L.) protested against such a grant merely upon the grounds of commercial distress. He was somewhat surprised that nothing had been said by the chancellor of the exchequer regarding the distresses prevailing in the south-west of Scotland. It was clear that, in Ireland, the houses that had failed had over traded; they had entered into improper speculations, and when the day of reckoning arrived, they were not prepared to meet the demands upon them The consequence of this grant would therefore be, that mercantile and banking concerns generally would be induced to follow the example of the Irish houses, in the confidence that, if they failed, government would interfere in their behalf. He should, however, consent, though reluctantly, to the vote, because he was aware, that such was the state of distress in Ireland, particularly among the lower orders, that the most dreadful results might occur, if resort were not had to some measure of this description.

Sir *G. Hill* argued, that whatever might be the culpability of overtrading on the part of individuals, which perhaps might have been the case, the innocent and industrious were not to be indiscriminately punished with the improvident. There was more than one precedent for such a proceeding: in the case where parliament voted a similar mode of relief to Ireland in 1793, not a shilling had ultimately been lost; but a balance had been made out in favour of the country.

Lord *A. Hamilton* saw no reason, in

what had been laid down by the right hon. gentleman, for the House going the length required on this occasion. No fair case had been made out for its interference. The distress experienced was not the effect of any mercantile or local cause, but the result of a false system of paper money. These evils had long been prophesied as the results of that most inexpedient system. It was impossible the case of 1793 could be a precedent for such a resolution in these days, since the Bank Restriction act had subsequently passed and altered the whole face of things. Though nearly twenty years had since elapsed, we were now reaping the fruits of the baneful and destructive policy then introduced. Whatever the House might do in respect to the grant, he could not avoid protesting against the principle.

Mr. *Grenfell* concurred with the noble lord in what he had said regarding paper currency, and he was happy to add, that that system was now about to terminate. The object was not to relieve the merchants and bankers, but the suffering population, as far as it was practicable; and if it were necessary that a communication should be made to the lord-lieutenant of Ireland before the present vote was carried into a law, he thought that much of the benefit would be destroyed by the delay.

The *Chancellor of the Exchequer* observed, that the vote he had proposed was intended for the relief of the people of Ireland generally from the distress occasioned by recent failures, from whatever cause those failures might have arisen. With regard to delay, he agreed that it would be better to avoid it, and that the bill to be founded on the bill should be passed through all its stages without hesitation.

Mr. *Foster* said, that the object of the grant was, to stop the progress of the evil and not to encourage speculation. The necessity of an immediate remedy was obvious from the fact that eight banks had failed in the south-west of Ireland; and if the failures reached Dublin, it was probable that they would also extend northward, and materially injure the linen trade, now conducted through the medium of paper, but formerly depending upon gold alone. Only yesterday, advice was received of the stoppage of one Dublin bank connected with the north of Ireland; and the consequence had been a heavy run upon the most firmly established banks of that city. They had been able to sustain the pressure; but it was not unlikely, that if confidence were not restored, much serious inconvenience, to say the least of it, would be felt there. He trusted, therefore, that the bill would be passed with as much speed as the forms of the House would allow.

Mr. *C. Grant*, after what had been so ably and feelingly stated on this subject, did not consider it necessary to trouble the committee with many words upon it. The object of the proposition was not to relieve the innocent and unfortunate sufferers. If such a measure could be accomplished, he was sure the House would do it by acclamation. But that was impossible; and all that could be done was, by circuitous means, to endeavour to obviate the extension of the evil. It was impossible for him, however, to advert to the distresses which so unhappily prevailed in the South of Ireland, without at the same time adverting to the temper and patience with which those distresses had been borne. Destitute as the inferior classes of the population were of the means of obtaining either employment or food, there was nevertheless no example among them (except in one trifling instance) of any resort to improper modes of relief. He wished further to say, that although he entirely agreed with his right hon. friend in the expediency of proceeding with the utmost dispatch in affording all the relief that could be afforded, the purpose of the grant had been, to a certain extent, anticipated by the lord lieutenant, who had, on his own responsibility, issued 100,000*l.* in the full confidence that parliament would sanction the proceeding.

Mr. *V. Fitzgerald* expressed the high satisfaction which he felt at the proposition; and concurred with his right hon. friend near him in pressing on the House the immense importance of accelerating its execution, as he considered it to be pregnant with as much moral as practical advantage. When the people of Ireland saw that government and parliament had taken up the business as they had done, he did hope that a great deal of the immediate pressure would be diminished. If the learned doctor who had given a reluctant consent to the measure knew but a tenth part of the distresses that existed, and of the way in which they were submitted to, he would not have qualified his concurrence in the proposition as he had done. He begged leave to suggest to his right hon. friend the consideration, whether it would not be consistent with his duty to apprise the government of Ireland without delay of the vote of the House, and to take immediate measures on the faith of that vote. He wished it to be generally and immediately known in Ireland, that parliament had agreed to apply half a million, if necessary, to the relief of the existing distresses; as he was persuaded that the moral effect of such a communication would be very great, and that it might prevent much mischief.

Mr. *C. Grant*, adverting to what had just fallen from his right hon. friend, said he had been authorized by his majesty's government to write to the lord lieutenant of Ireland, which he had that night done, to assure him that he might take such measures as were calculated to meet the evil, in the full confidence that they would receive the sanction of parliament.

Mr. *W. Parnell* supported the resolution.

Lord *Castlereagh* congratuled his native country on the strong sympathy and participation which was felt in the House with reference to the unhappy distress that prevailed in it. He had always been persuaded that such was the partial feeling of parliament for Ireland. If such a proposition had been made with regard to any part of England, it would have been viewed with considerable jealousy; but the resolution which had been that night moved by his right hon. friend, had been received but with one solicitude by all sides and all parties—namely, an anxiety to do all that it was possible to do for Ireland, under her present circumstances of pressure. He trusted that the measure, like other preceding measures of a similar description, would have a great practical operation; although he allowed, with his right hon. friend behind him, that the moral effect of it would be very considerable. He was persuaded that every hon. member who, like himself, was a native of the sister country, must feel great gratitude to parliament for their prompt acquiescence in his right hon. friend's proposition.

Mr. *Finlay*, adverting to former measures which had been adopted under similar circumstances in this country, observed, that they had been productive of the greatest advantage to the community. He hoped and believed that the effect of the proposition would, in a great degree, arrest the evil.

The Resolution was agreed to.

MISCELLANEOUS SERVICES.] The House having resolved itself into a Committee of Supply, to which the Miscellaneous Services were referred, Mr. Arbuthnot moved "That 476,294*l.* be granted to his Majesty, for defraying the expense of the Commissariat Department for the year 1820."

Mr. *Hume* wished for some explanation of the reason, why the estimate of the present year was nearly 100,000*l.* greater than the estimate of the last. The estimate of the last year was 380,300*l.*; that of the present 476,294*l.* Why was this? Adverting also to the way in which the commissariat, the storekeeper's department, &c. were all comprehended in one estimate, he strongly objected to this practice, and recommended that the estimates for the various branches of the public service should be stated singly; by which means they would be rendered more clear and intelligible. What he principally rose for, however, was to ask why there had been such an increase? He was certainly aware that there could not be an increase of troops, without an increase of expense; but here was the difficulty, which met the House in every quarter, and which proved the inexpediency of augmenting our military establishments.

Mr. *Arbuthnot*, in reference to the mode in which the present estimates were framed, said they had been drawn up by a very accurate and intelligent individual, with whose merits, he believed, the hon. gentleman was well acquainted. Next year they would be presented separately. As to the cause of the extension of these estimates, he agreed with the hon. gentleman, that it was the consequence of the additional number of troops which it had been found necessary to embody. One item of increase, to the amount of 25,000*l.* had been occasioned by the clothing for the veteran battalions and the militia; the latter of which had been called out this year. In former years there had been a considerable balance in hand, perhaps to the amount of 40,000*l.*, which had not existed in the last year.

The resolution was agreed to. On the motion, "That 241,000*l.* be granted for the service of the Barrack Department in Great Britain for the year 1820,"

Mr. *Bennet* deemed it right to call the attention of the committee to the amount of this vote, and the circumstances attending it. By the new schedule presented in these estimates, an addition of 88,150*l.* to the expense of last year under this head was proposed to them. The objections, however, which he had to urge were rather to the system than to the immediate alteration. He sincerely believed that this additional expense might be dispensed with, and could hardly conceive any evil in a free country greater than that of keeping a large number of soldiers assembled in a body during a period of peace. Such a state of things must continually endanger, and place in a state of risk, the true exercise and administration of a constitutional government. He could not view without alarm the collection of great bodies of men with arms in their hands, residing under the same roof. He might be speaking strongly, but it was an evident sign of a bad government whenever it appeared to rely on the support of an armed force. He had known, indeed, instances of actual inconvenience arising from the present system; but what he meant chiefly to maintain was, that the liberties of no country could be considered safe whilst it continued. It now appeared, that two new barracks were to be erected in or about London. There had been two before, and now there were to be four. Was it possible that his majesty's ministers meant to convert London into a garrison town? What ground of necessity had been urged for establishing any thing of this kind at the King's-mews? He found in the estimates a proposed vote of 3,500*l.* for a new barrack in the City-road. A large one was to be erected at Manchester, there being one already of considerable magnitude [Here it was intimated across the table, that the new London barrack was to be erected on the other side of Waterloo-bridge]. Well, then, let that be as it might, he found that a new barrack was to be erected at Stockport; and really he must say, that no government could stand in a more discreditable light than that of appearing dependent for their means of support upon measures or arrangements of this kind. He did not believe that any other country in Europe was regulated in this manner, or that any system of augmented military force, or increasing barracks, was to be found, except among this heavily burthened people. For his own part, he never would reconcile his views to the consideration of London as a military station, like Potsdam, or other towns upon the continent. He thought the increase of the military insulting to the country, and dangerous to its permanent peace. Soldiers might put down an incidental disturbance; but who could say what evils might eventually arise from having eight or ten thousand men in arms, permanently established in barracks in the heart of the British metropolis? It was not merely the expense of the establishment that was objectionable; although when the general poverty of the nation—when the statement which had been that night made by the right hon. gentleman himself of the condition of Ireland—when the complaints which were made, day after day, of the distresses of the various interests of the country—when the petitions which were poured into the House from almost every farmer, every trader, and every artizan, describing their absolute ruin—when all these things were considered, it was rather too much to find that the only answer of parliament to such representations, after civilly receiving them, was to raise additional troops, to impose additional charges on the people, and to keep perpetually going round that miserable and calamitous circle in which fresh distresses were productive only of fresh expenses, and those of course, in their turn, of fresh distresses. He should certainly feel it his duty to take the sense of the committee on that branch of the estimate under consideration, to which he had particularly adverted.

Mr. *R. Ward*, in order to show the necessity of erecting the barracks which had been recently built in the country, adverted to several places, and particularly Chester and Carlisle, where such precautions had been taken in consequence of those places having been reconnoitred by the radicals, and declared so vulnerable that they might be taken in half an hour. With reference especiallly to the latter city he had lately witnessed a scene there which sufficiently proved the necessity of military protection; and he was persuaded that the hon. and learned member for Winchelsea, who was present at that scene, if he were in the House, would corroborate his statement: he had seen a number of respectable individuals—ladies and gentlemen—who were going to a public entertainment in Carlisle, grossly insulted by the populace, and told that it was the last time they should ride in their carriages, and the last time they should wear diamonds. He was confident that the tranquillity of the country required the military protection which it was now receiving.

Colonel *Davies* supported the opinion of Mr. Bennet. He observed that in 1818 the whole amount of the barrack expenditure was 99,000*l*., but in 1819, when every thing was supposed to be settled, and when it might be expected the military expenditures of the country would be greatly diminished, yet the charge for barracks was 123,500*l*. But he was astonished to find, that in this year an additional estimate of 88,000*l*. was proposed for building new barracks, exclusive of the charge for repairing old ones. Such appearances were most alarming. There was also a sum of 78,000*l*. for the department of barrack-masters, of whom there was a whole army in full pay. There was one or more in every town wherever a company was quartered. The duty of a barrack-master was merely to inspect the works, and see things in order for the reception of troops; but not only were those men employed where troops were quartered, but wherever they were likely to come. In every barrack there was also a barrack-serjeant and clerk of the works, besides six or seven inspectors. It was impossible that so many persons could find fair employment, although they were a heavy expense to the country. Many of those persons were of a description unfit for the duty, while many experienced officers who had served their country, and were every way competent to the duty, were rejected. He knew of one town where the barrack-master was an apothecary, and another where a stone-mason filled the office. If government thought it absolutely necessary to build new barracks, he hoped the barrack-masters would be transferred from those places in which they were not at present wanted. The present estimate was, however, only a part of the general system of ministers. One step naturally led to another; and it was impossible to say into what extent of expenditure the country would be plunged. It was difficult indeed to get at the facts. The subject was involved in the greatest mystery and obscurity; and any one who wished to investigate it had to wade through a mass of papers of which no one who had not made the attempt could have any conception.

The *Chancellor of the Exchequer* said, he could assure the committee that the increase of the barrack expenditure was no voluntary act of his majesty's government. It was one of those expenses which arose from the agitated state of the country. There could not by possibility exist any disposition on the part of government to inflict a large military expenditure on the public; but they had been obliged to adopt the measures which they had taken, for the protection of the loyal and industrious against the danger to which their lives and their property were subjected. The hon. member for Shrewsbury had objected to the erection of new barracks. Had he inquired into the representations made to government on the subject by the magistrates and other respectable individuals? Called upon as they had been, government were bound to afford the protection required of them. Having called on the country to make exertions for their self-defence, government were bound to give such assistance as would inspire just confidence. Under these circumstances it was not desirable that the soldiers should be mingled with a disturbed and agitated population. He certainly lamented the extended expense of our military force. But the direct expense of that force was not the most mischievous evil; the indirect expense, by the interruption of industry and the want of confidence which the necessity for that force occasioned, was the most to be regretted; and he was persuaded that the soundest and best economy which parliament and government could practise, would be to employ such a force as would effectally put an end to those disturbances and alarms, which were much more expensive in their consequences, than any means that could be adopted to repress them. With respect to the particular barracks alluded to by the hon. member, there was but one actually erecting in the metropolis. As to the King's Mews, provision had certainly been made there for the accommodation of a battalion of the guards. But the hon. member must be aware, that whenever any disturbance had taken place in the metropolis, that had always been considered a convenient station for either cavalry or infantry. The barracks that were erecting in different parts of the country, were so erecting in consequence of the applications that had been made to government for protection. If those applications could with propriety be communicated to parliament, he was sure they would not only be satisfied with what was doing, but would applaud the discretion and moderation which government had manifested on the subject.

Mr. *Hume* could not refrain from declaring that the subject was one on which he thought the people ought justly to feel great alarm. There were no less than 97 barracks in the country; all of them with regular establishments. It had been lately said by ministers, that the additional troops were requisite to meet a temporary exigency; if so, why provide them with permanent accommodation? In Manchester, for instance, where there was already one barrack, another was erecting at an expense of 28,000*l.*; so that, because that place was once disturbed, it seemed to be supposed that it must be so for ever. By-and-by, he presumed, York, or some other place, would have an additional barrack, in consequence of a similar presumption. At Stockport also (which was within eight miles of Manchester), an additional barrack was building, merely because there had been a little disturbance in that place which had not been quelled until the arrival of the military. The same was the case at Oldham, which was within four miles of Manchester. Good God!—where would be the end of this, if, in every village in which any appearance of disquiet was manifested a barrack was to be built? What necessity was there for an additional barrack at Burnley? What necessity was there for an additional barrack at Carlisle? What necessity was there, in addition to the infantry barrack, for a barrack for a complete regiment of cavalry in Glasgow? He entreated ministers to pause in their course. He entreated them to consider the consequences of thus continually adding to the expenditure of the country. In Glasgow, for instance, there would no doubt be two barrack-masters, one for the infantry, the other for the cavalry. If there was the smallest disposition on the part of government to economise, the duty of superintending both those barracks might be discharged by one individual. At Maidstone, and at several other places there was this double establishment, which was wholly unnecessary. He hoped the hon. member for Shrewsbury would persist in taking the sense of the committee on the proposition for erecting new barracks, a measure, in his opinion, entirely uncalled for by the circumstances of the country.

Mr. *Arbuthnot* said, that before his majesty's ministers had come to a determination to erect new barracks in the proposed districts, they had made every necessary inquiry on the subject, the result of which was, that they found themselves forced to comply with the requests made to them from different parts of the country for protection. He was aware that temporary barracks would be best, if they could be obtained, but that was found impracticable. There were no buildings in the districts where soldiers were required that could be appropriated to this purpose. This was felt by the local authorities, and so represented to government. It was also found, that if the troops were not kept totally to themselves, there would be neither safety for them nor the districts which they were sent to protect. With respect to what had fallen from an hon. member relative to the appointment of stone-masons, or other improper persons, to the office of barrack-master, he could only say, that no such appointments had taken place while he had been in office. He could assure the committee, that he had always used his utmost endeavours to appoint competent persons to such offices, and the greater part of those so appointed were reduced officers. He always selected the most deserving, even of that class of persons. He had only one observation to add; the barrack department had advised a reduction; they had no interests in the appointments, that being vested in the Treasury, and he could assure the committee, that such recommendation had in every instance been attended to.

Mr. *Abercromby* observed, that he would not have said a single word on this occasion, were it not that he felt it necessary to state the reasons which induced him to vote for the motion of his hon. friend. He did not mean to enter now into that part of the question, which from the statement of the chancellor of the exchequer, appeared to be of so alarming a nature, particularly to those who understood the principles of the constitution. It would be idle now to enter upon that part of the question. The right hon. member had taken credit for a reduction being made in the barrack department, while on the other hand it was shown that it had been progressively increasing during the last three years. In a word, the statement of the chancellor of the exchequer was neither more nor less than this, that such was the state of the population of this country; such was the alienation of the people's feelings from the government of the country, that his majesty's ministers had no other resource than that of building barracks within four miles of each other all over the country, in order to repress the feeling which existed in the country. The right hon. gentleman said, that this was not the wish of government, but that they were forced to it by the disaffection of the people. If there was any one reproach greater than another to be cast upon parliament, it was that of listening patiently to such a statement, without having taken a single step to inquire how this awful and melancholy change had taken place, or how it could be permanently remedied. Now, indeed, they had the grand remedy in the erection of barracks and the maintenance of troops throughout the country.

The *Chancellor of the Exchequer*, in explanation, said, that the hon. and learned member had misunderstood him. What he said was, and he did not hesitate again to avow it, that such was the state of some of the population in the metropolis and in several other districts, that it became necessary, in order to protect the property of the industrious well-meaning, to establish barracks and keep troops in those disturbed districts.

Colonel *Davies* said, that in mentioning temporary barracks, he did not allude to old stores or other buildings. If it were found necessary to erect barracks for a time, they might be built of wood. This would be a sufficiently strong, and a much cheaper mode of erecting barracks, than by erecting them of stone.

Mr. *Calcraft* said, he had understood the right hon. gentleman in the same way as his hon. and learned friend, and that he had actually put the merits of this question upon the general and notorious disaffection of the people. It was evidently the system of the government in this country that had created the discontent and dissatisfaction which the right hon. gentleman acknowledged to exist, and which he stated as the groundwork that rendered the erection of barracks necessary. He conceived that ministers did not look into their own measures with a scrutinizing eye. If they did, they would there trace the causes of that alienation of public feeling, and of that general discontent, of which they complained. The present was a very large question, and, if pursued, would lead them into a debate on the general state of the country. He had no hesitation in saying, that if, when the representation was made, in July last, to lord Sidmouth, respecting the state of the disturbed districts, parliament had been called on to take into consideration their existing circumstances, the evils that had since occurred, and which tended to alienate the public mind, would not have happened. Could any man, who felt a love for his country, or who entertained reverence and respect for the British constitution, look, without alarm, at the estimates laid before them, in a time of profound peace, for building barracks in those great towns where discontent was alleged to exist? Such a proceeding was no less than an avowal that the government must keep down the feelings of the people by the sword. If, instead of an inquiry into the internal misfortunes of the country and the miseries of its population, they applied harsh and coercive measures, at an enormous expense, it could have no other effect but to create additional discontent. He allowed, with the right hon. gentleman, that property, and the peaceable part of the population, must be protected. But he must farther observe, that the causes of those discontents should be inquired into, and the legislature should see whether the present state of the country was not to be attributed to that system of force and coercion which had been so long adopted. Ministers never thought of that, but called for the means of erecting barracks as a mere matter of course. Neither were they contented with a temporary establishment to meet a temporary disturbance. No; they called for a permanent establishment, instead of devising measures to make the people more contented with their situation, and more obedient to the laws. The sum now to be voted was 110,000*l.* for the building of barracks, of which 88,000*l.* were to be granted on account, to make a beginning this year. The subject was a most important one, and he was sorry it was debated in this way, because he thought it ought to be considered on the wide and extensive scale which it demanded. He trusted that the present session would not be allowed to pass without an inquiry into the real state of suffering, as well as the alleged disaffection of the people.

Mr. *W. Smith* expressed his regret that such large sums should be voted in such a manner. This was a question of confidence. It might be right to extend confidence to ministers, but here this was not the case. They were called upon to vote sums for barracks and soldiers, on the statements of magistrates, of which the House knew nothing. The question was, whether the committee were prepared to vote 200,000*l.* for barracks, with all its attendant expenses, upon the mere recommendation of a set of magistrates? He did not mean to say that ministers meant any attack on the liberties of the people, but this he would say, that if ever any bad man, or any bad administration, should entertain such an idea, the country could not be more inconveniently placed than by having those barracks and garrisons distributed over the country.

Mr. *Arbuthnot* said, with reference to the sum charged for repairs, that it was impossible to have a large range of barracks, without incurring a great expense every year for keeping them in a proper state. If the barracks had been originally constructed in a solid manner, such sums would not be necessary for repairs; but many of them were formed of wood, and were very much decayed.

Mr. *Creevey* said, he observed, in the present estimates, a sum of 14,000*l.* for pensions and allowances to barrack-masters, &c.; and in the army estimates, he had remarked a charge for two retired barrack-masters-general of 2,000*l.* each, besides other items connected with the barrack department. How was it possible to imagine that a barrack-master-general could be entitled to a pension equal to 5*l.* a-day, while a retired lieutenant.general, who might have been all his life in the army, and seen the most dangerous service, received only 1*l.* 5*s.* a-day? He should like grants of this kind to be brought before the House in a more plain and clear shape. Those grants were professedly given under the 50th Geo. 3rd, which empowered the heads of departments to grant a remuneration to retired officers, in certain proportions for past services. If the returns under that act were examined, it would be found that the sums paid to individuals who had retired were perfectly enormous. There were 2,000*l.* a-year to two retired barrack-masters-general; 2,000*l.* a-year to a retired comptroller of accounts; 1,500*l.* to a retired clerk, &c. The country was quite unable to pay such sums, which were far greater than the services performed justified. No less than 700,000*l.* had been granted in this manner; and he conceived a general return should be laid before the House of all persons receiving allowances and pensions, in conformity with the provisions of the act he had mentioned. With respect to the item immediately under consideration, the chancellor of the exchequer said, that the state of the country rendered it necessary that troops and barracks should be furnished, in order to suppress disturbances. Now, if disturbances were apprehended, it would certainly be proper to guard against them; but a temporary danger did not afford any reason for establishing a permanent system.

Mr. *Arbuthnot* said, the two sums of 2,000*l.*, to which the hon. gentleman had alluded as part of the army estimates, were allowances granted to two retired barrack-masters-general previous to the establishment of the barrack department. This was the reason for charging them in the army estimates. Previous to the establishment of the barrack department there was a barrack-master-general in this country and in Ireland. They both had military commissions, and, on retiring, an allowance was granted to them. Since the period when the barrack department was established, charges relative to it were comprised in the miscellaneous estimates; and the 14,000*l.* to which the hon. gentleman referred consisted of pensions to retired barrack-masters, whose services occurred since the barrack department was formed. Almost all of them had been officers in the army, and would have been entitled to half-pay if they had not been provided for in this manner.

Sir *H. Parnell* wished to be informed whether the Irish barrack department was not under the control of the Treasury. If there was reason to complain of the expense of that establishment here, there was still greater reason to complain of it in Ireland. The expense, last year, in that country, was 123,000*l.* He conceived, particularly as the two treasuries were now united, that this department should be placed under its control.

Mr. *Arbuthnot* said, that the barrack estimate for Ireland was always brought forwardby the chief-secretary for that country. Of course the chief-secretary for Ireland would introduce the charge in the services for the year.

Mr. *T. Wilson* conceived gentlemen were wrong when they attributed all the evils of the country to the measures of the government. He would call their recollection to the turn the debate had taken on a former evening, when it was admitted that the discontent and disaffection of the people did not arise from any want of respect for the constitution of King, Lords, and Commons, but were produced by distress, occasioned by a deficiency of employment. If that were the case, and if the distress had become greater than it was, it must produce an increase of discontent, which required an increase of energy to meet it. With respect to the feelings of the country, he could not help thinking that the language continually used on the other side of the House was not calculated to assuage it. Indeed, it tended to render the people not only dissatisfied with their situation, but with the conduct of government. He did not know what measures would be adopted by the gentlemen opposite, if they were in power; but, were they placed in that situation, they would surely keep up such a force as might be necessary to repress any dangers that were likely to threaten the peace of the country. He did not wish to give a vote for expending the public money unnecessarily; but no argument offered by the gentlemen opposite had convinced him that the present was not a proposition that ought to be agreed to.

Mr. *Calcraft* hoped the hon. gentleman would forgive him if he said that, when members of the House of Commons were about to vote the money of the people, they had a right to make such observations as they might think fit. They were sent to the House for that purpose. They were called on to canvass every proposition brought before them. When money was demanded, it was their duty to call on the chancellor of the exchequer to state his reasons for requiring it, and in return, to acquaint him with their views on the subject. The hon. gentleman certainly was not so much in the habit of objecting to votes of money as individuals on his side of the House were; but that circumstance, however they might regret it, would not render them less vigilant. With respect to a question, as to the difference of expense for building the barracks at Leeds and at Glasgow, no answer had been returned to it; and, as a member of the House of Commons, he conceived that he had a right to have that circumstance explained.

Mr. *Arbuthnot* believed that the inhabitants of Glasgow had supplied a portion of the expense, which had occasioned the difference.

Mr. *Abercromby* said, he had stated no opinion of his own, originally, but had quoted an opinion, an extremely alarming one, of the chancellor of the exchequer. He had since heard his qualification, which was, that his was a partial and not a general statement. How far it was partial or general must be collected from the proposed erection of barracks all over the country.

The committee divided: Ayes, 72; Noes, 30. Majority for the Resolution, 42.

List of the Minority.

Althorp, lord
Abercromby. hon. J.
Bright, R.
Beaumont, T. W.
Boughey, sir J.
Bernal, R.
Calcraft, J.
Calcraft, J. H.
Clifton, lord
Colbourn, R.
Coffin, sir I.
Creevey, Thos.
Denman, T.
Davies, col.
Ellice, E.
Farrand, R.
Griffith, J. W.
Harvey, D. W.
Hume, J.
Lennard, T. B.
Lushington, Dr.
Monck, J. B.
Martin, J.
Ord, W.
Palmer, C. F.
Parnell, sir H.
Ricardo, D.
Smith, Wm.
Smith, Saml.

TELLER.

Bennet, hon. H. G.

On the resolution, "That 25,000*l.* be granted for maintaining and repairing the British Forts on the Coast of Africa,"

Mr. *W. Smith* said, that every shilling of the money granted for the same purpose for many years had been misapplied. It would appear from the accounts, not merely for the last years, but for many years before, that the money which had been expended did not in any degree promote the expected object. The slave trade was not, in consequence of that expenditure, prevented. Were he to speak out on this subject, he would use very severe epithets indeed. He considered the expenditure any thing but advantageous to the country. He had no hesitation in saying, that the transfer to the government of those forts from the African company was a salutary measure. In the first place, a sum of 1,200*l.* a year, divided amongst those who called themselves the African company, would be saved to the country.

On the resolution, "That 150,000*l.* be granted, to pay in the year 1820 the awards of the commissioners established in London, in pursuance of an act of the 58th George 3rd, c. 85, for carrying into effect a convention between his majesty and his most faithful majesty, signed at London the 28th of July, 1817, to claimants of Portuguese vessels and cargoes captured by British cruisers, on account of the unlawfully trading in slaves, from 1st June, 1814,"

Dr. *Lushington* said, he believed the House was ignorant of the manner in which this sum was incurred by the government of the country. He would state how those captures originated; they were made in consequence of the neglect and ignorance of the noble lord at the head of the Admiralty, and of his colleagues. He stated this openly, and he was prepared to prove it. He was prepared to show that the instructions sent out by the Admiralty were, from the beginning to the end, illegal. He was sure no hon. gentleman would for one moment sanction them, if they were brought under consideration. He was therefore to presume that those instructions had been sent out by the Admiralty without those persons at the head of that department knowing what they contained, or what would be the effect of them. He would appeal to one act of the noble lord opposite; if the noble lord would but recollect the circumstance, he had no doubt but that the noble lord would bear testimony to what he said. The instructions in question were sent out to the different cruisers from the Admiralty, and were, as they ought to have been, acted on by the commanders of those cruisers, for he would ever contend that it was the duty of the masters of cruisers, upon receiving instructions from the Admiralty, to obey them. Under those instructions vessels belonging to Spain and Portugal were captured—and captured, in violation of every principle of the law of nations. Though an advocate for the abolition of the slave trade, he must condemn, an act which went to overturn every principle of the law of nations observed in this country from the earliest ages down to the present day. Those illegal instructions were executed as soon as they were received; great alarm followed; a number of Portuguese vessels were brought into the different ports of the coasts of Africa, and condemned in the most unmerciful manner. But instructions subsequently issued by the noble lord opposite, revoking the instructions previously issued, and containing fresh orders, saying in fact, that every thing contained in the former instructions was unlawful—saying in plain terms to the masters of our cruisers, "You have innocently acted on the illegal instructions you received—but for God's sake desist; make no further aggressions." The noble lord must say that this was the substance of the instructions he had sent out. A treaty was subsequently entered into, by which the British government undertook to pay for all the vessels captured under the illegal instructions. This treaty was followed by an act of parliament, by which it was enacted, that after the produce of the vessels captured the government would make up the deficiency of the value; but the right hon. gentleman who moved the resolutions well knew, that such was the neglect of government that not one shilling had been received out of any of the different ships that had been captured. Were ministers prepared to admit that for five years they had been so negligent as not to have considered this subject—that they had not taken any step to possess themselves of one sixpence of the property which had been captured? He was not, of course, expected to know what had recently passed at the Treasury, but up to Christmas last, and he believed to a still later period, not one shilling had been received out of any of the ships or cargoes captured, for which the House was now called upon to vote so large a sum; and yet in the present state of this country, every shilling that could be saved was of importance; and although the captors were not entitled to one shilling on account of the vessels which they seized, yet the country, it seemed, was to be burthened with an enormous sum of money to be paid to foreign powers, in consequence of the ignorance and neglect of the first lord of the Admiralty, who sent out false and illegal instructions to our cruisers.

On the resolution, "That 41,787*l.* be granted for defraying the expense of Works and Repairs of Public Buildings for the year 1820,"

Mr. *Hume* said, that the preparations which were making for the coronation were but of a temporary nature: an unnecessary expense appeared to be incurring. Preparations intended for a mere temporary purpose were got up on a scale as expensive as if the different public situations for the coronation were to last, not for a day, but for thirty or forty years.

The *Chancellor of the Exchequer* said, that the expenses of the coronation would be brought under the consideration of the House.

Mr. *Creevey* wished to know when those expenses would be brought under consideration.

The *Chancellor of the Exchequer* replied, that they would be submitted to the House as soon as the privy council should determine the amount of the expense which they might consider likely to accompany the coronation.

Mr. *Creevey* asked, whether the amount of that expense would be submitted to parliament before the ceremony of the coronation shall take place?

The *Chancellor of the Exchequer* replied, that it certainly would.

Mr. *Hume* said, that in the last year a sum of 80,000*l.* was granted for secret service money, 47,000*l.* of which was only appropriated, leaving a balance of 33,000*l.* in the Treasury. That 33,000*l.* added to the 60,000*l.* now called for, would make nearly 100,000*l.* for secret service money. The internal state of the country, and still less our relations with foreign powers, could not justify the disposal of so enormous a sum. They had nothing to fear from foreign powers; they had nothing to do with foreign countries, unless, indeed, commissioners were to be sent out to Naples and other places of the same honourable description with other commissioners which he need not name.

Lord *Castlereagh* said, that however the hon. gentleman might object to them, grants of this description were also recognized by parliament, were always accounted for, and were necessary under the circumstances of the country.

Mr. *Hume* said, he did not want to have grants for secret service money altogether done away; he only objected to the extent of the present grant.

Mr. *D. W. Harvey* said, that grants for secret service money were always the largest in those years when general elections took place.

Mr. *Huskisson* said, that if the hon. member would only look into the act he would see a special provision requiring that money granted for secret service should be duly accounted for under the authority of the secretary of state.

Mr. *Arbuthnot* said, that the three secretaries of state were responsible on oath for the money expended. It was impossible for him to say how the money was to be expended, or why so large a grant was thought necessary. But the House would recollect, that the sum was applied for, not merely for the foreign, but for the home department also.

On the resolution, "That 5,000*l.* be granted, for the support of the Institution called, 'The Refuge for the Destitute for the year 1820.'

Mr. *Hume* objected to this vote on the ground that parliamentary interference was dangerous. If a sum of money was to be granted to this institution, many other institutions in the metropolis, equally deserving of consideration, and with equally strong claims might and would ask for parliamentary assistance.

Mr. *Bennet* said, that many of the persons relieved were juvenile convicts, whose previous character or whose parentage made it desirable that they should not be sent to the hulks. Government having thrown this charge on this society, they were bound to take part of the burthen. The change made in the character of convicts sent thither was a proof of the judiciousness of this arrangement.

Dr. *Lushington* said, the institution saved the country a very considerable sum; a number of young persons convicted of petty crimes, and sentenced to slight punishments, were received into the establishment; but no funds could withstand the constant demands that were made upon it; many persons who were actually starving, though recommended by magistrates, were reluctantly turned from the doors of the institution. The progress of juvenile delinquency in the metropolis was very great; and as the Refuge could not receive all the objects that presented themselves, he would beg to suggest to ministers, that they ought to form some place under their own direction, where those persons might be received; for, if left loose upon society, it would be only to spread vice and crime.

Mr. *Lockhart* contended, that such charity, in fact, was an encouragement of crimes. The first offence should not be so lightly spoken of. A vigorous police would seize the offenders before they committed the crime, and while they were loitering and plotting crimes.

On the resolution, "That 60,000*l.* be granted towards defraying the expense of the building of a Penitentiary House, at Millbank, for the year 1820,"

Sir *Joseph Yorke* said, he understood

that 600,000*l.* had been already expended on this Penitentiary, of which he very much doubted the policy. It was now turned into a manufactory, which in the present state of the population of the country, only deprived the honest poor of work; so that the Penitentiary supplied the poor-houses, as the poor-houses supplied the Penitentiary. With all this expenditure, would any one say that there would be six penitents, who, according to this rate, would be produced at 100,000*l.* per penitent? This was rather a high price to pay for penitence. As he was to quote history on the subject, he should quote a monarch who was supposed to know as much of the fair sex as any king ancient or modern—he meant Solomon. Solomon said, that "a virtuous woman was above rubies;" this was to be sure in favour of such an expenditure. He understood, that the penitents from Newgate were ruined at the penitentiary—that Mrs. Fry's penitents were quite done up at Millbank. This put him in mind of a mistress, who having been robbed by her servant, said—"bless my heart, I am astonished at her, for she was strongly recommended to me from Newgate." [A laugh]. He was against this system; he was for having all criminals sent out of the country to let honest men live.

Mr. *Holford* said, the Penitentiary had not and would not cost 600,000*l.* It had hitherto cost only 340,000*l.* A vote of 60,000*l.* was now called for, and another would be required, he did not know to what amount; but the whole expense would not exceed 500,000*l.* He agreed with the gallant admiral as to the general policy of sending convicts, whose punishment was to continue for a long term of years, out of the country; but maintained that a place like the Penitentiary at Millbank was necessary for those whose sentences were only of a temporary nature.

On the resolution "That 21,000*l.* be granted for defraying the expense of the establishment of the Penitentiary House at Millbank, from 24th June, 1820, to 24th June, 1821,"

Mr. *Hume* said, that a considerable discussion had taken place last year in the committee regarding the erection of a steam-engine in the Penitentiary for the purpose of easing the labour which the prisoners endured in drawing water and in grinding flour. The committee, though no division took place upon it, had shown a decided disapprobation of the plan; and he now rose to ask, whether a steam-engine had been erected in the prison, for the purposes which he had before mentioned.

Mr. *Holford* had great satisfaction in informing the hon. gentleman, that the steam-engine had not been erected, and that all intention of erecting it had been abandoned. Instead of a steam engine, four machines had been purchased for the Penitentiary, two for the drawing of water, and two for the grinding of flour.

Mr. *Lockhart* wished to know how many penitents were at present confined in the Penitentiary.

Mr. *Holford* said, that at present there were 400 penitents within its walls; by that time next year he hoped there would be 700. The number of criminals convicted annually exceeded that number; and the Penitentiary was built to hold 1,000. They had sent out of it, within the last year, 30 individuals, who, he was confident, would never again have occasion to visit it.

Mr. *Lockhart* said, he was afraid, if the bill of fare of the honest poor who had been driven into Lambeth workhouse, for instance, by the pressure of the times and of taxation, were compared with that of these persons who were imprisoned for their crimes, the comparison would be much to the advantage of the latter. These convicts had each a separate room, fared well, had a physician for their bodies, and a priest for their souls. He thought it a bad system that persons who were under punishment for crime, should be in a better situation than those who were suffering from misfortune.

Mr. *Bennet* deprecated the tone of scorn in which the last speaker had expressed himself relative to this establishment. He should like to know what that hon. gentleman would wish to have done to the unfortunate individuals in that prison.—Were they to be left to starve? There was this difference between them and paupers in the poor-house—the pauper could leave his residence, but the convict could not leave his, being placed in it contrary to his own will. He was not for pampering the palate of a convict, but he was for allowing him that quantity of provisions which was requisite to his support. He was fully convinced of the truth of an observation of the immortal Howard, that persons in prison require a greater quantity of food to sustain nature than persons out of it. Indeed, there was in punishment something of a corporeal disease, which wasted the frame much more than any person who had not seen its effects would readily believe. The hon. gentleman had sneeringly said, that the prisoners had a physician for their bodies and a priest for their souls. Was there, then, to be no religious attendance paid to the convicts; or was that attendance to be considered only as a fit object for a sneer? He could hardly have believed, had he not himself witnessed it, that any member would have risen in his place to broach such doctrines. If the House agreed to them, they must give up the great principle of establishing prisons for the reformation of offenders, the fruit of which he was certain would be good. He could not refrain from entering his protest against the position that it was impossible to establish such a system of prison discipline as would unite in itself the reformation of the offender and the punishment of the offence.

Mr. *Lockhart* said, he had no such feelings as had been imputed to him; but when he saw that with improved prisons and new charities, crimes were increasing, he felt that the country was losing its way on an amiable system, and that what was really wanted was a preventive police. He protested against any plan which should put criminals in a better situation than the unfortunate.

Mr. *Ricardo* thought that the difficulty of getting admittance into the prison ought to be taken into the consideration of the committee. If the officers were under the inspection of the public, they would be more likely to do their duty; and he could see no good reason why the prisons should not be subject to the inspection of the public.

Mr. *Holford* thought he could satisfy the hon. gentleman that the difficulty of which he complained was nothing more than a due caution on the part of the governors of the Penitentiary. If the public at large were allowed free ingress into it, it was clear that accomplices of the prisoners might gain admission, and thus counteract all the good purposes which the establishment was intended to effect. Any person of respectable appearance might gain a ticket of admission by application to the secretary of state; but if all were admitted who desired to have admission, the time of the officers of the institution, which ought to be devoted to other employments, would be fully occupied in looking after the various individuals who would come to visit them.

Mr. *Ricardo* said, that the difficulty of obtaining admission into the Penitentiary was so great, that he himself, though a member of parliament, had not been able to inspect it.

Mr. *Arbuthnot*, in moving "that 25,000*l.* be granted towards defraying the expense of making an inland navigation from the eastern to the western sea by Inverness and Fort William," observed, that 60,000*l.* would be wanted to complete this canal, but that he only intended to ask for 25,000*l.* this year.

Lord *Althorp* expressed some surprise at what had just fallen from the right hon. gentleman. When this subject was before the committee last year, they had been told that not more than 75,000*l.* would be wanted to complete this canal. It was proposed, in the committee, to take 50,000*l.* at that time, and to leave 25,000*l.* to be taken this year. He was now told that, after the grant of last year, 60,000*l.* more was wanting. This, he thought, required explanation.

Mr. *Arbuthnot* stated, that in this, as in many other cases, the actual expense had been found to exceed the estimates which had been made of them. Here the excess amounted to 30,000*l.*; but he expected that no other excess would occur hereafter.

Sir *H. Parnell* was convinced that those who looked upon this canal as a public work of no utility had taken a very mistaken view of the subject. He looked forward to it as a source of future revenue, and therefore thought that no objection ought to be made to the grant in question.

Mr. *Arbuthnot* said, that if the House thought fit, he would propose that the whole sum of 60,000*l.* should be then granted for the completion of this canal. The reason why he had not done so at first was that he did not wish, in the present distressed state of the country, to impose upon it any burthen that was not absolutely necessary.

Mr. *Hume* thought that this work, which had already cost so much money, ought to be completed; at the same time he could not help expressing his conviction that more than 60,000*l.* would be wanted for that purpose. When this canal was first proposed, it was said, that the expense of cutting it would not exceed 250,000*l.* This estimate was found to be erroneous; and then it was said that the expense would not exceed 580,000*l.* Now 60,000*l.* more was asked for; and that sum, he would repeat it, would not be sufficient to complete it. Instead of anticipating the production of any revenue from that canal when it was completed, he expected that there would be an annual demand upon the House for a sum of money to keep it in due and efficient repair.

On the resolution, "that 40,000*l.* be granted for defraying the expense of Law Charges for the year 1820,"

Mr. *D. W. Harvey* wished to know the reason why such an increase of expenditure had taken place in this item. Last year the law charges did not amount to more than 20,000*l.*; now they amounted to 40,000*l.*, independently of the 8,000*l.* for prosecution relative to the coin.

Mr. *Arbuthnot* attributed the increase in the law charges to the disturbed state of the nation, and the expenses which had been necessarily incurred in summoning and maintaining witnesses to support the various prosecutions which had arisen out of it. The solicitor of the treasury could not state what the exact amount of those expenses would be, but thought that a grant of 40,000*l.* would cover the whole of them.

Mr. *Hobhouse* objected to this grant, on the very grounds which the right hon. gentleman had stated in explanation of its amount. He objected to it because the money which this grant was to cover, had been expended in the prosecution of political opinions. Those who thought that the recent prosecutions had been instituted without reason—and he was one who presumed to entertain that opinion—were bound to oppose the grant; whereas, those who entertained a different opinion, in all probability would support it. By making grants to so large an amount for such purposes, they enabled the Crown to fee all the talent of the country—he meant all the legal talent—to oppose the people. Briefs had sometimes been delivered on the part of the Crown to all the leading counsel on a circuit, so that an unfortunate defendant was often deprived, by such means, of the aid of eminent counsel. They would be doing an improper thing, as the representatives of the people of England—if indeed that House were the representatives of the people ["Order, order,"]—should they allow the public money to be voted away in such grants, without raising their voices against the proceeding.

Mr. *Huskisson* understood the hon. gentleman to say, that he considered the prosecutions which had taken place during the last year to have been totally unnecessary. If the trials which had taken place at the Old-Bailey for high-treason,—if the prosecutions for sedition at York, Lancaster, Chester, Warwick, Leicester, and other places, were indeed unnecessary, then of course the grants which had been voted to carry them on, were a waste of the public money. But if it was the opinion of the House, that the Crown should have power to institute prosecutions, it was necessary to supply it with money for that purpose. He could not help remarking, that objections to the amount of expense incurred by Crown prosecutions came with rather a bad grace from gentlemen on the opposite side of the house, when it was recollected that ministers had been so frequently reproved by them for making new laws, instead of prosecuting to a greater extent under the existing laws. The hon. gentleman said, that this grant was made to pay fees to all the legal talent at the bar, and to prevent defendants from having the benefit of eminent counsel. It certainly was the duty of king's counsel to give the Crown the benefit of their services; but the hon. gentleman was mistaken in supposing that all the expense was incurred by retaining-fees, for a considerable part of these charges was incurred by the attendance of witnesses, and the issuing of summonses. A part of the sum of 40,000*l.* now proposed to be granted was to make good the deficiency of last year; and part of it was prospective, to defray the expense of prosecutions likely to be instituted in the present year. If the hon. gentleman objected to the whole of this grant, he hoped the committee would not be disposed to go along with him in that objection; and if any particular part of the expense appeared objectionable, accounts should be furnished of the manner in which the former grant had been applied.

Mr. *Hobhouse* said, that those who thought the late prosecutions necessary, would, no doubt, vote for the sum; but he was not responsible for the opinions expressed by gentlemen in the last parliament: he was not to be bound by what had been said by gentlemen on that side of the House on the occasion alluded to for, on reading the debates at that time, he had objected to the opinion expressed by many hon. members, that government should have prosecuted more rigorously than they did under the old laws. He was hostile to the whole policy of government with respect to these prosecutions, and therefore he protested against this grant. He thought that these prosecutions should not be paid for by the people, because they had been instituted against the people.

Mr. *Lockhart* observed, that all who had pleaded their own cause had been found guilty.

Mr. *D. W. Harvey* said, that it was quite correct, that the attorney and solicitor-generals were in the habit of receiving fees upon Crown prosecutions, whether they attended or not. It was within his own knowledge that such was the case with regard to no less than 760 prosecutions in the court of exchequer in the course of the last year, upon each of which prosecutions the attorney and solicitor-generals received ten guineas each, although neither ever attended in any one instance. There was another statement also from the hon. member for Westminster, which was perfectly true. He meant, that upon a barrister's acquiring a high character for talent, the Crown was forward to retain him on its side by the grant of a silk gown; and it was notorious, that if a person prosecuted by the Crown desired the assistance of any king's counsel, he could not obtain that assistance without paying eight or ten guineas for a licence, or dispensation from the Crown, allowing such barrister to plead for him; so that here was a sum which the prosecuted person must pay in addition to the usual fee, in order to secure the support of an advocate so unnecessarily, and he would add, so improperly retained by the Crown in the first instance. This was a system which evidently called for some revision. With respect to the expense of Crown prosecutions within the last year, he was glad to understand that there was no objection on the other side to lay before the House some accounts illustrative of the items and character of that expense, and he hoped for the speedy production of those accounts.

Mr. *Huskisson* said, it had always been the custom to retain the attorney-general and the solicitor general in Crown prosecutions, and that, although they might not appear in person on the trial, they were always consulted by the Crown as to the manner of conducting the prosecution.

Dr. *Lushington* observed, that the attorney and solicitor generals received fees upon Crown prosecutions, because they were responsible for such proceedings. But he felt that it was only in cases where such responsibility properly attached, and where they were actually consulted by government, that such fees should be given. He had known himself, of cases in which the attorney and solicitor generals had received fees without being at all concerned; in Doctors Commons for instance.

The several resolutions were agreed to.

HOUSE OF LORDS.

Monday, June 19.

SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] The Earl of *Liverpool* rose and said:—My lords; upon several occasions I have of late had to move your lordships to postpone the meeting of the Secret Committee appointed, in pursuance of his majesty's message, respecting charges of which we are all aware, on the ground that discussion and explanations were going on, pending which it would not be expedient to enter into the consideration of the papers communicated from the Crown. It is with regret I have now to state, that contrary to the expectation entertained, at least for a time, by myself and by others, and I may say generally by both Houses of Parliament and the country, that discussion and those explanations have failed in producing the desired result, and [laying upon the table a bundle of papers] I am commanded by his majesty to lay these papers upon the table, containing the details of that negotiation. As in all cases where papers are laid upon the table by command of the Crown, they are in a course of printing, and will be ready for delivering to the members of the House to-morrow-morning. Your lordships are aware that the meeting of the secret committee, to whom the papers communicated by his majesty's message are referred, stands fixed for to-morrow, but as in fairness and candour noble lords ought to have an opportunity of considering the papers I have now laid upon the table, previous to the meeting of the secret committee, in order that they may be enabled to judge whether there is any thing in these papers that ought to influence them, either in still further postponing the meeting of the committee, or in adhering to their original vote, or in any other manner; I therefore now move, that the order for the meeting of the secret committee to-morrow be discharged, and that the secret committee do, instead thereof, meet on Friday.

This motion was agreed to.

The Marquis of *Lansdowne*:—I wish to ask the noble earl, whether it is his intention to found any proceeding upon the papers which he has just laid upon the table by command of his majesty?

The Earl of *Liverpool*:—I have no difficulty, my lords, in saying that it is not my intention to found any proceeding upon these papers. It will be for your lordships to judge of their contents, and it will be competent for any noble lord to make any motion respecting them that he shall deem expedient, or any motion as to the further proceeding or not of the secret committee.

The Marquis of *Lansdowne*:—If I understand the noble earl, he does not mean to found any proceeding upon these papers; but it surely must follow, from the conduct of the noble earl upon this point, that his opinion is made up, that the consideration of these papers will form no ground for a further postponing the meeting of the secret committee.

The Earl of *Liverpool*:—My lords, I have delivered no such opinion, nor do I mean to do it. It will be for your lordships to consider, whether there is any thing in these papers that ought to have the effect or not, of further postponing the meeting of the committee.

Earl *Grey* did not rise to oppose the motion, but wished merely to ask some explanation, in the hope of obtaining, if possible, from the noble earl, something like the statement of a ground for this extraordinary proceeding. A message from the Crown, relative to the conduct of the queen-consort, had been delivered to the House; that message was accompanied by papers, containing, it was said, serious charges against her majesty; and these papers had been referred by their lordships to the examination of a secret committee. That committee, however, had never proceeded to the examination and the day of meeting had been adjourned from time to time. There appeared no reason for this conduct; none had been assigned, and none could be assigned, except that it was thought necessary for that House to watch what was done in another place. It was inconsistent with the character and dignity of the House to have its proceedings controlled by what passed elsewhere; and yet, that it was subject to that control, appeared from the repeated adjournments which had taken place. The noble earl had spoken of discussions and explanations which had been going on; and, these discussions being ended, the correspondence was laid before the House. Now, he should be glad to know what was the object of laying these papers before the House. None had been assigned; and he could not help remarking to their lordships the extraordinary and unprecedented nature of this proceeding. There were several occasions in which it was usual for the Crown to lay accounts of negotiations before parliament—as in the case of discussions with foreign powers, when the papers involved the question of peace or war. In such cases, however, the papers were submitted to parliament with a view to some measure being founded on them; but this was the first time, he believed, in which the Crown had been advised to lay before parliament the account of a negotiation carried on between the king's ministers and his subjects. But what was still more novel and unprecedented was, that, when the noble earl had brought these papers to the House, he proposed no measure respecting them. He did not suggest the necessity of any farther proceeding relative to them. If the committee was to sit without reference to these papers, why was the House called upon to take them into consideration? But the noble earl desired their lordships to direct their attention to the correspondence, and consider whether it was necessary to found any measure upon it. He contended that it was, in the first place, the duty of ministers, who already knew the nature of the papers, to say whether they were such as called for consideration, and ought in their opinion to form the ground of some measure. But the way in which they had acted now resembled their conduct on every other occasion when any difficulty or embarrassment arose. They constantly showed a disposition to shrink from their duty, and to divest themselves of the responsibility of giving advice to the Crown. In this spirit they proposed, on the present occasion, to shift from their own shoulders a duty which particularly belonged to themselves, and to throw it on that House. If this were submitted to, it would only complete that disgrace into which the House had already appeared so much disposed to fall.

The Earl of *Harrowby* did not know whether there was properly any question before the House; but he could not refrain from making a few observations on what had fallen from the noble earl opposite. The noble earl had very unreasonably made it a charge against the executive government, that they did not proceed in this case by precedent. Now, he would challenge him to show, in the annals of the country, any case which could afford any precedent for the present. If there was no case from which a precedent could be drawn, and if little light could be derived from any similarity between this and former proceedings, the fair inference rather was, that ministers had acted with propriety in not attempting to establish on precedents measures for which no precedent could be found. The noble earl, perhaps, in consequence of his absence from that House, had not been correct in his statement of the cause of the adjournment of the committee. That adjournment had been proposed in consequence of the wish expressed in that House, as well as in another place, that means might be found to spare to parliament and the country the pain to which the disclosures and discussions incident on the investigation might give rise. This wish was expressed as intelligibly as the vote that had been founded upon it. But when the negotiation was now closed, would it not have been rather a ground of accusation against his majesty's servants, if, after they had advised it, they had refrained from laying a full account of all that had passed before parliament? He was convinced it would have been made a charge against them, if, after having entered into a negotiation, they had refused to give the House any information on the subject. The noble earl was also wrong in what he had stated respecting the practice of laying papers before parliament. It was, he conceived, not altogether uncommon for the Crown to lay papers on the table, without calling for any opinion on them. This had been done not merely in matters of minor importance, but at the end of a war treaties of peace had been laid before parliament without any opinion being asked upon them. There was, as had already been observed, no similar case. It was in vain, therefore, to object that the proceedings were unprecedented. On a subject not only most delicate and interesting, but also of a nature altogether unexampled, he did think that it was proper for ministers to advise his majesty to call for the wisdom of parliament. It was the first time he had ever heard of such an appeal being made a ground of accusation. Could it be wrong for the Crown to ask their lordships assistance, when obliged to steer a course for the direction of which neither rule nor compass was to be found?

Lord *Holland* wished to draw their lordships attention to the real state of the subject under discussion. He understood his noble relation to have been desirous of ascertaining what the drift and bearing of papers laid on the table were—whether they were such as might be expected to prevent the sitting of the committee, or to make their lordships consider that it would be their duty to direct the committee to proceed. When the noble earl who had just sat down argued that the case was unprecedented, he did not take into consideration, that what his noble friend objected to was, not only that the proceedings were without precedent, but that they were without reason also. When there was no precedent to go by, it at least might be expected that then reason would be chosen for the guide. The message from the Crown assured their lordships that every thing had been done to avert the painful disclosures which must unavoidably take place. Besides the papers which accompanied that message another set was now laid before their lordships, without any object for such a communication being assigned. They had but very lately been told that the utmost had been done to avert the dreaded disclosures! and now came forth another batch of papers to show that something more than the utmost had been done. But the noble earl acted on the present occasion in a very different manner from what was usually practised when similar proceedings were instituted. When green bags full of accusations against the people were brought down, did ministers content themselves merely with referring them to a secret committee, and refuse to say a word on the nature of the charges? By no means. An inflamed description of the contents of the bags was then given. At present, however, not a word was said, though, after a secret committee had been appointed, a farther collection of papers was produced without any reference being made to the bearing they were expected to have on the former proceeding. This transaction was of a piece with all the other conduct of ministers. If there was any thing odious to be done, they were perfectly prepared to let it attach either to the Crown or to parliament, as it might happen. Of the consequences they were quite regardless, provided they kept their places. The noble earl had signified that the failure of the negotiation was contrary to his expectation. He qualified, indeed, what he said, by stating, that for a part of the time he had entertained an expectation of a favourable result. On what ground had he entertained that opinion? Their lordships must recollect that the noble earl had expressly stated at the outset, that he had no expectation of any beneficial result from the delay. In proposing the adjournment, he said that he did so without any expectation, on his part, that advantage would arise from the postponement. When the noble earl who spoke last observed, that the postponement was approved by noble lords who objected to the present proceeding, he did not advert to the ground of that approval. Those who were against the appointment of the committee altogether, were, naturally enough, willing to consent to its postponement for ten days. The man who does not wish to do a thing will not readily object to the leaving it undone for a time, in the hope that, in the chapter of accidents, something may turn up to prevent its being done altogether. In this way he, and other noble lords, had certainly wished for the delay; but this was very different from what the noble earl meant. Had the motion of the noble baron (Kenyon), for deferring the appointment of the committee been adopted, the House would have escaped the disagreeable situation in which it was now placed. Since that, every postponement of the committee which their lordships had agreed to had only plunged them deeper and deeper in the mire. Their lordships must now be sensible how much the House would have gained in true dignity, had the advice of the noble baron been followed in preference to that of the noble earl. Their lordships were, however, induced to proceed to the appointment of the committee, and a great part of the lords so appointed were persons who must be already acquainted with all that was in the green bag. They might, of course, as well give an opinion on it now as at any future time. But, though appointed, they were not allowed to meet. The fifteen noble peers who composed the committee, and were to be the judges in this case, continued with their functions suspended in the air. Would it not have been better not to have appointed them at all? He and his noble friends had contended that the first vote was unconstitutional, and therefore consistently maintained, that if the meeting of the committee was to be postponed, it would be better not to appoint it at all. The whole proceeding, as it had been managed, was most disgraceful to the House.

The Earl of *Darnley* could not avoid noticing the statement of the noble earl that the delay which had taken place was in consequence of the desire of that House. He positively denied that assertion. The vote of the House, in fact, did express a wish that the committee should be appointed, and nothing else. But it was not the opinion of that House which had been the ground of the delay, but what had occurred in another place. He would ask their lordships whether any of them really believed that the proceedings of the committee would have been delayed had the House of Commons come to the same vote as that House had? By this transaction he conceived that the House had covered itself with disgrace.

The Earl of *Harrowby* was confident that the wish expressed by every noble lord who took part in the debate on the appointment of the committee was, that farther time should be granted for discussion and explanation.

The Earl of *Darnley* again observed, that it was impossible for a moment to doubt that the committee would have sat and proceeded to business, had the House of Commons come to the same vote as their lordships did.

Earl *Grey*, in explanation, said, that if there were instances of papers having been laid before parliament by the Crown, on which no subsequent measure was founded there was at least no instance during a pending proceeding of fresh papers being communicated without some reference to the manner in which those papers would affect such proceeding. Ministers, in all they had said, had never given a hint as to the view they entertained of those papers. They had never told their lordships whether they expected their effect would be to hasten the proceeding which was begun, or to lead to its abrogation.

The Marquis of *Lansdowne* reminded their lordships, that on the day when the message was taken into consideration, he had stated a broad constitutional doubt against the course of proceeding recommended by the noble earl. Every thing which had since occurred convinced him of the propriety of the opinion he then gave; but the noble lords opposite did not on that day hold out the slightest idea that there could be any possible objection to the immediate commencement of the investigation by the secret committee. On the second day, however, before any noble lord spoke a word, the noble earl proposed a course of proceeding by which the committee, though appointed, was to be prevented from transacting business. The whole of this proceeding was most inconsistent and improper.

The Earl of *Liverpool* was now as firmly of opinion as he was on the first day, that if the committee was to be appointed, the mode which had been taken was the most constitutional, and consequently the best that could be adopted. From the circumstances which had occurred since the appointment, he was also satisfied, that the postponement of the sitting of the committee was not unconstitutional, and indeed that it was highly proper. With respect to the justification of the original course, he should not go into that now; but he was fully prepared to explain the grounds on which he had proceeded, as soon as the proper time for that explanation came. All that he had proposed on the second day was, that if the House agreed to ballot for the committee, it should not sit for a few days, in order to give time for a negotiation. He was not then arguing whether it was most proper to proceed to the ballot, or to adjourn the sitting of the committee; but he was confident that the feeling of the House was, that both courses came practically to much the same point. Whatever difficulties presented themselves now, would equally have existed had the ballot been delayed. The noble baron had supposed him to have said, on the first proposition for delay, that he had no expectation of a favourable result to the negotiation; but he believed he did not assert, either that he had or had not any expectation. All that he stated was, that discussions and explanations had taken place, but that he knew nothing which could lead him to draw any positive conclusion as to what might be the result. He was perfectly ready to agree to a short delay, and on a subsequent day after the discussions had commenced, he stated that they were such as to render a farther adjournment desirable.

Lord *Rolle* believed that there was no question before the House, and, as the whole discussion was therefore out of order, he should if it was proposed to continue it longer, move that the House do adjourn.

Lord *Dacre* did not see the propriety of appointing the committee originally. The learned lord on the Woolsack had said that the House was not likely to be called upon in its judicial capacity to decide on the contents of the papers on the table, and that therefore their lordships would not be prejudging the question by making a report upon them. But it was not yet evident to his mind what the House of Commons might do, or that it would agree with the noble and learned lord, and therefore he was against the appointment of the committee altogether. For the same reason he saw no propriety in referring the present papers to their lordships without some explanation, or some declaration of the course of proceeding which ought to be adopted. He rose, therefore, to ask the opinion of ministers on the subject; he wished to know why they had not given some reason for the further adjournment, and what probability there was that any steps might be taken in the mean time to prevent the inquiry altogether. He wished to know why ministers, as they knew the contents of the papers, did not take the responsibility of acting upon themselves, and tell the House whether they meant to proceed on Friday next or not. He begged the noble earl opposite to explain what was the object and tendency of the documents now submitted to their lordships—how far they extended—and what specific correspondence they embraced. Did they only contain the correspondence that passed between the ministry and the agents of the queen during this and the last week? or did they contain any information regarding the previous negotiations?

The Earl of *Liverpool* said, that the usual way of answering such a question was, to desire that the list of papers should be read.

The Clerk was about to read the list

when lord Rolle reminded the House that the question of adjournment was before them.

Lord *Holland* said, he should move that the papers be read, in order to see if it was proper that they should agree to the adjournment.

The Earl of Liverpool observed, that the questions were distinct.

Lord *Holland* maintained the right of any peer to call for the reading of papers lying on the table which might have a connection with the question in debate—the reading of an act of parliament for instance.

Earl *Spencer* said, there was no question regularly before the House, but the noble earl having laid papers on the table by the command of his majesty, which must shortly come under consideration, the regular way was to read the whole of the papers. Not one of their lordships with the exception of ministers, knew what they contained, so that he thought that the titles might at least be read.

Lord *Rolle* said, that if the sense of the House was against his motion he certainly should not press it. He had moved it on perceiving that there was no question before the House.

The *Lord Chancellor* said, the only motion before them was the question of adjournment. How far the speeches which their lordships had heard bore any reference to that question, it was for the House itself to decide, but for his own part, he should say that he was not able to discover any. Any noble lord might introduce topics, the application of which it would be difficult to see until he had made it himself.

The Clerk then read the titles of the papers. [For the Papers themselves see this day's proceedings of the Commons.]

The Earl of *Lauderdale* wished to know whether it was the intention of ministers to lay before the House any previous communications on the same subject. The House had been told at an early stage of those proceedings, that the utmost efforts had been made, and now papers were brought down which ought in justice to contain all that had passed. It was a maxim which every day's experience confirmed, that those who judged on a partial view must judge imperfectly, so that if any thing had passed antecedently to the papers now communicated, it was foolish and vain to think of arriving at any correct determination on those imperfect documents. The House must have the whole of the information before it, in order to come to a right opinion. The noble earl had seen the whole, and was capable of recommending some proceeding. They had only seen a detached part and were consequently incapable of judging as to any proceeding.

The Earl of *Liverpool* said, that there was but one paper of a date anterior to the 9th, and that he should feel no difficulty in communicating it.

Lord *Erskine* contended, that his majesty's ministers ought not to demand the opinion of parliament on the late proceedings without giving information on what had previously taken place. The papers now laid on the table contained the official correspondence of a negotiation instituted for the purpose of endeavouring to bring about an accommodation without the necessity of making disclosures. Before their lordships could judge of the propriety of that negotiation, they should be informed of the nature of the charge against the queen, and the evidence on which it rested. Their lordships were called upon to give advice to the Crown on this delicate question; and how could they advise his majesty what to do, without knowing the nature of the charges against the other party? The ministers who possessed the documents in which they were contained, could alone decide with propriety, and ought therefore to take the responsibility of deciding. It was plain that the House could not. He, for one, would never deliver an opinion, till he was made acquainted with the whole of the charges. Some thought that her majesty's name should be restored to the liturgy, that she should reside in England and enjoy all the rights and privileges belonging to her station: and how could he or any other noble lord, deliver an opinion for or against these claims without knowing the grounds on which they were denied her? It was not from any desire to see the green bag opened that he thus spoke; but he found himself under the necessity of so expressing himself, when called upon to decide on the result of a negotiation without knowing the reasons why it was begun. He had consented to the appointment of the secret committee: he did not think such a committee either illegal or unconstitutional, but that was not the question now before the House. The question was, whether they should decide without having that information which ought to form the grounds of their decision.

The meeting of the secret committee was postponed to Friday.

HOUSE OF COMMONS.

Monday, June 19.

MILITARY DISTURBANCE.] Lord *Nugent* observed, that it was his intention to have asked a question of the noble secretary of War had he been in his place. As that noble lord was absent, he should beg to ask his majesty's judge advocate the same question. He had learned that the late disturbance amongst a portion of the guards was attributed to the failure in issuing a certain rate of allowance which was called riot money. Recollecting that a very considerable allowance, both of bounty and pay, was made to the soldiers, he could not recognise the propriety of any increase when they were called upon for duty in any service. Knowing also, that if they were ordered to march for foreign service no such increased rate of allowance was either given or expected, by what rule should it be granted when employed against their fellow-citizens? As a very important question stood for discussion that night, he should not enlarge upon the point at present; but he wished to hear from his majesty's judge advocate how long it had been the practice of the government to issue the increased allowance of riot money.

Mr. *Beckett* said, he should be glad to give the noble lord a distinct answer, but he was only able at present to state, that such arrangements were made by the secretary at war.

COMMUNICATIONS ON THE PART OF THE QUEEN, WITH HIS MAJESTY'S GOVERNMENT.] Lord Castlereagh presented by his Majesty's command, the following Papers relating to the Queen:

COMMUNICATIONS ON THE PART OF THE QUEEN WITH HIS MAJESTY'S GOVERNMENT.

No. 1.—Communication from the Queen to the Earl of Liverpool.

The Queen commands Mr. Brougham to inform lord Liverpool, that she has directed her most serious attention to the declared sense of parliament, as to the propriety of some amicable adjustment of existing differences being attempted; and submitting to that high authority with the gratitude due to the protection she has always received from it, her majesty no longer waits for a communication from the ministers of the Crown, but commands Mr. Brougham to announce her own readiness to consider any arrangement that can be suggested consistent with her dignity and honour.

One o'clock, Friday, 9th June, 1820.

No. 2.—The Earl of Liverpool, in answer to the Communication from the Queen, on the same day.

Lord Liverpool has had the honour of receiving the queen's communication of this day; and begs leave to acquaint her majesty, that a memorandum delivered by lord Liverpool to Mr. Brougham on the 15th April last, contains the propositions, which lord Liverpool was commanded by the king to communicate through Mr. Brougham to her majesty.

Her majesty has not been advised to return any answer to those propositions; but lord Liverpool assures her majesty that the king's servants will still think it their duty, notwithstanding all that has passed, to receive for consideration any suggestions which her majesty or her advisers may have to offer upon those propositions.

Fife-house, 9th June, 1820.

No. 3.—Communication from the Queen to the Earl of Liverpool.

The Queen commands Mr. Brougham to inform lord Liverpool, that she has received his letter; and that the memorandum of April 15th, 1820, which the proposition made through lord Hutchinson had appeared to supersede, has also been now submitted to her majesty for the first time.

Her majesty does not consider the terms there specified as at all according with the condition upon which she informed lord Liverpool yesterday that she would entertain a proposal, namely, that it should be consistent with her dignity and honour. At the same time she is willing to acquit those who made this proposal, of intending any thing offensive to her majesty; and lord Liverpool's letter indicates a disposition to receive any suggestions which she may offer.

Her majesty retains the same desire which she commanded Mr. Brougham yesterday to express of submitting her own wishes to the authority of parliament, now so decisively interposed. Still acting upon the same principle, she now commands Mr. Brougham to add, that she feels it necessary, before making any further proposal, to have it understood, that the recognition of her rank and privileges as queen, must be the basis of any arrangement which can be made. The moment that basis is established, her majesty will be ready to suggest a method by which she conceives all existing differences may be satisfactorily adjusted.

10th June, 1820.

No. 4.—The Earl of Liverpool, in answer to the Communication from the Queen of the 10th June, 1820.

Lord Liverpool has had the honour of receiving the queen's communication, and cannot refrain from expressing the extreme surprise of the king's servants, that the memorandum of April 15th, the only proposition to her majesty, which ever was authorized by his majesty, should not have been submitted to her majesty until yesterday.

That memorandum contains so full a communication of the intentions and views of the king's government with respect to the queen, as to have entitled his majesty's servants to an equally frank, full, and candid explanation on the part of her majesty's advisers.

The memorandum of the 15th of April, while it proposed that her majesty should abstain from the exercise of the rights and privileges of queen with certain exceptions, did not call upon her majesty to renounce any of them.

Whatever appertains to her majesty by law, as queen, must continue to appertain to her so long as it is not abrogated by law.

The king's servants, in expressing their readiness to receive the suggestion for a satisfactory adjustment which her majesty's advisers promise, think it right, in order to save time, distinctly to state, that any proposition which they could feel it to be consistent with their duty to recommend to his majesty, must have for its basis, her majesty's residence abroad.

11th June, 1820.

No. 5.—Communications from the Queen to the Earl of Liverpool.

The Queen commands Mr. Brougham to acknowledge having received lord Liverpool's note of last night, and to inform his lordship, that her majesty takes it for granted that the memorandum of April 15, was not submitted to her before Saturday, only because her legal advisers had no opportunity of seeing her majesty until lord Hutchinson was on the spot prepared to treat with her.

Her majesty commands Mr. Brougham to state, that as the basis of her recognition as queen is admitted by the king's government, and as his majesty's servants express their readiness to receive any suggestion for a satisfactory adjustment, her majesty, still acting upon the same principles which have always guided her conduct, will now point out a method, by which it appears to her that the object in contemplation may be attained.

Her majesty's dignity and honour being secured, she regards all other matters as of comparatively little importance, and is willing to leave every thing to the decision of any person or persons of high station and character, whom both parties may concur in naming, and who shall have authority to prescribe the particulars as to residence, patronage and income, subject of course to the approbation of parliament.

12th June, 1820.

No. 6.—The Earl of Liverpool, in answer to the Communication from the Queen of the 12th of June, 1820.

Lord Liverpool has received the communication made by the queen's commands.

The king's servants feel it to be unnecessary to enter into any discussion on the early parts of this communication, except to repeat that the memorandum delivered to Mr. Brougham of the 15th of April, contained the only proposition to the queen, which the king authorized to be made to her majesty.

The views and sentiments of the king's government as to her majesty's actual situation are sufficiently explained in lord Liverpool's note of the 11th instant.

Lord Liverpool will proceed therefore to the proposal made on the part of her majesty at the close of this communication—viz. "That she is willing to leave every thing to the decision of any person or persons of high station and character, whom both parties may concur in naming; and who shall have authority to prescribe the particulars as to residence, patronage and income, subject of course to the approbation of parliament.

The king's confidential servants cannot think it consistent with their constitutional responsibility to advise the king to submit to any arbitration, a matter so deeply connected with the honour and dignity of his crown, and with the most important public interests; but they are fully sensible of the advantages which may be derived from an unreserved personal discussion; and they are therefore prepared to advise his majesty to appoint two of his majesty's confidential servants, who, in concert with the like number of persons to be named by the queen, may frame an arrangement to be submitted to his majesty, for settling, upon the basis of lord Liverpool's note of the 11th instant, the necessary particulars of her majesty's future situation.

13th June, 1820.

No. 7.—Note from the Earl of Liverpool to Mr. Brougham, accompanying his Answer to the Communication from the Queen of the 12th June, 1820.

Lord Liverpool presents his compliments to Mr. Brougham, and requests that he will inform the queen, that if the accompanying answer should not appear to require any reply, lord Liverpool is prepared to name the two persons, whom his majesty will appoint for the purpose referred to in this note.

13th June 1820.

No. 8.—Mr. Brougham to the Earl of Liverpool, stating that he has received the Queen's commands to name two Persons to meet the two, who may be named on the part of his Majesty's government, for settling an arrangement.

Mr. Brougham presents his compliments to lord Liverpool, and begs leave to inform him, that he has received the queen's commands to name two persons, to meet the two whom his lordship may name on the part of his majesty's government, for the purpose of settling an arrangement.

Mr. Brougham hopes to be favoured with lord Liverpool's nomination this evening, in order that an early appointment for a meeting to-morrow may take place.

14th June, 1820.

Appendix.

Memorandum for a proposed Arrangement with the Queen.

The act of the 54th Geo. 3rd, c. 160, recognized the separation of the prince Regent from the princess of Wales, and allotted a separate provision for the princess.

This provision was to continue during the life of his late majesty, and to determine at his demise.

In consequence of that event, it has altogether ceased; and no provision can be made for her, until it shall please his majesty to recommend to parliament an arrangement for that purpose.

The king is willing to recommend to parliament to enable his majesty to settle an annuity of 50,000*l.* a year upon the queen, to be enjoyed by her during her natural life, and in lieu of any claim in the nature of jointure or otherwise; provided she will engage not to come into any part of the British dominions, and provided she engages to take some other name or title than that of queen, and not to exercise any of the rights or privileges of queen, other than with respect to the appointment of law officers, or to any proceedings in courts of justice.

The annuity to cease upon the violation of those engagements, viz; upon her coming into any part of the British dominions, or her assuming the title of queen, or her exercising any of the rights or privileges of queen, other than above excepted, after the annuity shall have been settled upon her.

Upon her consent to an engagement on the above conditions, Mr. Brougham is desired to obtain a declaration to this effect, signed by herself; and at the same time a full authority to conclude with such person as his majesty may appoint, a formal engagement upon those principles.

15th April, 1820.

Protocols.

No. 1.—Protocol of the First Conference held in St. James's-square, June 15th, 1820.

In pursuance of the notes of the 13th and 14th of June, the duke of Wellington and lord Castlereagh, on the part of the king, having met Mr. Brougham and Mr. Denman, her majesty's law officers, in order to facilitate the proposed personal discussions, it was suggested by the former:

1st. That the persons named to frame an arrangement, although representing different interests, should consider themselves, in discharge of this duty, not as opposed to each other, but as acting in concert with a view to frame an arrangement in compliance with the understood wish of parliament, which may avert the necessity of a public inquiry into the information laid before the two Houses.

2nd. The arrangement to be made must be of such a nature, as to require from neither party any concession as to the result to which such inquiry, if proceeded on, might lead. The queen must not be understood to admit, or the king to retract any thing.

3rd. That in order the better to accomplish the above important object, it was proposed, that whatever might pass in the first conference should pledge neither party to any opinion; that nothing should be recorded without previous communication, and, as far as possible, common consent; and that, in order to facilitate explanation and to encourage unreserved discussion, the substance only of what passed should be reported.

These preliminary points being agreed to, the questions to be examined (as contained in lord Liverpool's memorandum of the 15th April, 1820, delivered to Mr. Brougham previous to his proceeding to St. Omer's, and in lord Liverpool's note of the 11th of June, and Mr. Brougham's note of the 12th of June, written by the queen's commands) were:

1st. The future residence of the queen abroad.

2nd. The title which her majesty might think fit to assume when travelling on the Continent;

3rd. The non-exercise of certain rights of patronage in England, which it might be desirable that her majesty might desist from exercising, should she reside abroad; and,

4th. The suitable income to be assigned for life to the queen residing abroad.

Her majesty's law officers, on the part of the queen, desired, in the first instance, that the fourth point should be altogether laid aside in these conferences: her majesty desired it might make no part of the conditions, nor be mixed with the present discussions. They then proceeded to state, that under all the circumstances of her majesty's position, they would not say that her majesty had any insuperable objection to living abroad; on the contrary, if such foreign residence were deemed indispensable to the completion of an arrangement so much desired by parliament, her majesty might be prevailed upon to acquiesce; but then, that certain steps must be taken to remove the possibility of any inference being drawn from such compliance, and from the inquiry not being proceeded in, unfavourable to her majesty's honour, and inconsistent with that recognition which is the basis of these negotiations; and her majesty's advisers suggested, with this view, the restoration of her name to the Liturgy. To this it was replied, that the king's government would no doubt learn with great surprise that a question of this important nature had now been brought forward for the first time, without having been adverted to in any of the previous discussions, and without being included amongst the heads to be now treated of; that the Liturgy had been already regulated by his majesty's formal declaration in council, and in the exercise of his majesty's legal authority; that the king, in yielding his own feelings and views to the wishes of parliament, could not be understood (in the absence of inquiry) to alter any of those impressions under which his majesty had hitherto deliberately and advisedly acted, and that, as it was at the outset stated, that the king could not be expected to retract any thing, no hope could be held out that the king's government would feel themselves justified in submitting such a proposition to his majesty.

To this it was answered, that although the point of the liturgy was certainly not included by name amongst the heads to be discussed, her majesty's law officers felt themselves entitled to bring it forward in its connexion with the question of her majesty's residence abroad It was further contended, that the alteration in the liturgy was contrary to the plain sense and even letter of the statute, and that it was highly objectionable on constitutional grounds, being contrary to the whole policy of the law respecting the security of the succession, and liable to be repeated in cases where the succession itself might be endangered by it, and therefore it was said that a step so taken might well be retraced, without implying any unworthy concession. It was also urged, that the omission having been plainly made in contemplation of legal or parliamentary proceedings against her majesty, it followed when these proceedings were to be abandoned, that the omission should be supplied; and it followed for the same reason, that supplying it would imply no retractation.

It was replied, that his majesty had decided that her majesty's name should not be inserted in the liturgy, for several reasons not now necessary to discuss;—that his majesty had acted under legal advice, and in conformity to the practice of his royal predecessors; and that the decision of his majesty had not been taken solely with a view to intended proceedings in parliament, or at law. Independent of the inquiry instituted before parliament his majesty had felt himself long since called upon to adopt certain measures, to which his majesty, as head of his family, and in the exercise of his prerogative, was clearly competent. These acts, together with that now under consideration, however reluctantly adopted, and however painful to his majesty's feelings, were taken upon grounds which the discontinuance of the inquiry before parliament could uot affect, and which his majesty could not therefore be expected to rescind; the principle, fairly applied would go in truth no further, than to replace the parties in the relative position in which they stood immediately before her majesty's arrival, and before the king's message was sent down to both Houses of Parliament.

After further discussion upon this point, it was agreed that the duke of Wellington and lord Castlereagh should report to the cabinet what had passed, and come prepared with their determination to the next conference. Her majesty's law officers then asked, whether, in the event of the above proposition not being adopted, any other proceeding could be suggested on the part of his majesty's government, which might render her majesty's residence abroad consistent with the recognition of her rights, and the vindication of her character; and they specially pointed at the official introduction of her majesty to foreign courts by the king's ministers abroad? Upon this it was observed, that this proposition appeared open to the same difficulty in point of principle: it was calling upon the king to retract the decision formally taken and avowed on the part of his majesty, a decision already notified to foreign courts, and to render the position of his majesty's representatives abroad, in relation to her majesty, inconsistent with that of their sovereign at home:—that the purpose for which this was sought by the queen's advisers, was inconsistent with the principle admitted at the commencement of the conference, and was one that could not be reasonably required to be accomplished by the act of his majesty, namely, to give to her majesty's conduct that countenance, which the state of the case, as at present before his majesty, altogether precluded.

At the same time it was stated, that while his majesty, consistently with the steps already adopted, could not authorise the public reception of the queen, or the introduction of her majesty at foreign courts by his ministers abroad, there was nevertheless every disposition to see that branch of the orders already given, faithfully and liberally executed, which enjoined the British ministers on the continent, to facilitate within their respective missions, her majesty's accommodation, and to contribute to her personal comfort and convenience.

Her majesty's law officers gave the king's servants no reason whatever to think that the queen could be induced to depart from the propositions above stated, unless some others, founded on the same principles, were acceded to on the part of his majesty's government.

(Signed) WELLINGTON.
CASTLEREAGH.
H. BROUGHAM.
T. DENMAN.

No. 2.—Protocol of the second Conference, held at the Foreign Office, June 16th, 1820.

The king's servants began the conference by stating, that they had not failed to report with fidelity to the king's government, the proposition brought forward by her majesty's law officers, that the queen's name should be expressly included in the Liturgy, in order to protect her majesty against any misconstruction of the grounds on which her majesty might consent to reside abroad; that they were not deceived, for reasons already sufficiently explained, in anticipating the surprise of their colleagues, at the production of this question, for the first time, on the part of her majesty, more especially in the present advanced state of the proceedings.

That they were authorised distinctly to state, that the king's servants could on no account advise his majesty to rescind the decision already taken and acted upon in this instance; and that, to prevent misconception, the king's government had charged the duke of Wellington and lord Castlereagh to explain, that they must equally decline to advise the king to depart from the principle already laid down by his majesty for the direction of his representatives abroad, with regard to the public reception by the king's ministers abroad, and introduction, of her majesty at foreign courts, but that they were not only ready, but desirous, to guard in future, by renewed orders, against any possible want of attention to her majesty's comfort or convenience, by his majesty's ministers abroad; and that wherever her majesty might think fit to establish her residence, every endeavour would be made to secure for her majesty from that state, the fullest protection, and the utmost personal comfort, attention and convenience.

In explanation of the position in which the king actually stood upon this question in his foreign relations, the instructions under which the ministers abroad now acted were communicated to the queen's law officers, and their attention was directed, as well to the principles therein laid down, and from which his majesty could not be called upon to depart, as to that branch of the instructions which was studiously framed to provide for the personal comfort and convenience of the queen, when princess of Wales.

The queen's law officers then stated, that they must not be understood to suggest the giving of a general power to her majesty to establish her court in any foreign country, and to be there received and presented by the English minister, because reasons of state might render it inexpedient, that under certain circumstances such an establishment should be made; but they wished that her majesty should have the power of being so received and treated by the English minister, where no such reasons of state interfered; and they inquired, whether the same objection would exist to the public introduction of her majesty at some one court where she might fix her residence, if she waived the claim of introduction at foreign courts generally.

To this it was answered, that the principle was in fact the same whether at one or more courts, and that if the king could be consistently advised to meet the queen's wishes in this instance at all, it would be more dignified for his majesty to do so generally and avowedly, than to adopt any partial or covert proceeding. The queen's law officers, referring to the decision of the judges in George the first's reign, said it would be a much more unexceptionable exercise of the royal prerogative, were the king even to prescribe where her majesty should reside, but to order her there to be treated as queen by his minister.

The king's servants, in consequence of what had passed at a former conference, then reverted to the mode in which the queen had arrived in England, and the pain her majesty must experience, were she exposed to leave England in the like manner.

They acquainted her majesty's law officers, that they could venture to assure them, that the difficulty would not occur.

The queen arrived in England contrary to the king's wishes and representations, but were her majesty now to desire to pass to the continent, whether to a port in the channel, or if it should more accord with her majesty's views, to proceed at once to the Mediterranean, a king's yacht in the one instance, or a ship of war in the other, might be ordered to convey her majesty.

After receiving these explanations, the queen's law officers recurred to the points before touched upon, viz. the inserting the queen's name in the liturgy, or the devising something in the nature of an equivalent, and intimated their conviction that her majesty would feel it necessary to press one or both of those objects, or some other of a similar nature and tendency.

They then asked, whether a residence in one of the royal palaces would be secured to her majesty, while in this country; and observed that her majesty had never been deprived of her apartments in Kensington-palace, until she voluntarily gave them up for the accommodation of the late duke of Kent?

It was replied, that the king's servants had no instructions on this point. They however observed, that they believed the apartments which her majesty formerly occupied, when princess of Wales, were at present actually in the possession of the duchess of Kent, and that they considered that this point had been already disposed of, by supplying to her majesty the funds which were necessary to furnish her majesty with a suitable residence.

Her majesty's law officers then inquired, whether, supposing an arrangement made, the mode of winding up the transaction, and withdrawing the information referred to parliament had been considered, and whether the king's servants saw any objection, in the present instance, to the Houses of Parliament expressing, by suitable addresses both to the king and queen, their grateful thanks for their majesties having acquiesced in an arrangement, by which parliament had been saved the painful duty of so delicate and difficult a proceeding?

The king's servants acknowledged this point had not been considered; but reserved to themselves to report the observations made thereupon to their colleagues.

It was then agreed that, upon every view of duty and propriety, the final decision should not be protracted beyond Monday, to which day it should be proposed that the proceedings on the king's message in the House of Commons should be adjourned, on a distinct explanation to this effect; and that a conference should take place to-morrow, in order to bring the business to a conclusion, and to arrange, by mutual consent, the Protocols of conference.

(Signed) Wellington.
Castlereagh.
H. Brougham.
T. Denman.

No. 3.—Protocol of the third conference, held at the foreign office, June 17, 1820.

The conference was opened by her majesty's law officers intimating, that, adverting to what had passed in the preceding conference, they had nothing to propose, but to proceed to the adjustment of the protocol.

The king's servants stating, that, before they entered into this business of arranging the protocol, they thought it their duty to advert to the points discussed in the preceding conference, upon which no explicit opinion had been expressed by them on the part of his majesty's government; they then declared, that they were authorized to inform the queen's law officers, that, in the event of her majesty's going to the continent, a yacht or ship of war would be provided for the conveyance of her majesty, either to a port in the channel, or to a port in the Mediterranean, as her majesty might prefer.

That every personal attention and respect would be paid by the king's servants abroad to her majesty, and every endeavour made by them to protect her majesty against any possible inconvenience, whether in her travels or residing on the continent,—with the understood reserve, however, of public reception by the king's ministers abroad, and introduction at foreign courts.

It was further stated by the king's servants, that having weighed the suggestion communicated by the queen's law officers in the preceding conference, they were now prepared to declare, that they saw no difficulty (if the terms in which the same were to be conveyed were properly guarded) to a proposition being made to both Houses, for expressing, by address to the queen as well as to the king, their grateful acknowledgments for the facilities which their majesties might have respectively afforded, towards the accomplishment of an arrangement, by which parliament had been saved the necessity of so painful a discussion.

These observations not appearing to make any material difference in the views taken by her majesty's law officers of the result of the conferences, it was agreed to proceed in the arrangement of the protocols.

Before however the protocol was discussed, the king's servants desired distinctly to know from her majesty's law officers, whether the introduction of the queen's name in the liturgy, and her majesty's introduction at foreign courts, were either of them, a condition *sine quâ non* of an arrangement on the part of the queen? to which it was replied, that either the introduction of her majesty's name in the liturgy, an equivalent, which would have the effect of protecting her majesty against the unfavourable inference to which her majesty might be liable in leaving the country under the circumstances in which her majesty was placed, was a *sine quâ non*. The queen could not be advised voluntarily to consent to any arrangement which was not satisfactory to her majesty's own feelings, however her majesty, with a view to meet the understood wishes of parliament, had felt it her duty to propose to leave the whole question to an arbitration.

No proposition on the part of her majesty, other than those already adverted to, was brought forward.

(Signed) Wellington.
Castlereagh.
H. Brougham.
T. Denman.

No. 4.—Protocol of the fourth conference, held at St. James's-square, 18th June, 1820.

Before proceeding to finish the discussion of the protocols, it was suggested on the part of the king's servants, if possible to meet the queen's wishes, and in order the better to assure to her majesty every suitable respect and attention within the particular state in which she might think fit to establish her residence (the Milanese or the Roman States having been previously suggested by her majesty's law officers, as the alternative within her majesty's contemplation) that the king would cause official notification to be made of her majesty's legal character as queen, to the government of such state.—That consistently however with the reasons already stated, it must rest with the sovereign of such state, what reception should be given to her majesty in that character.

The king's servants were particularly anxious to impress upon the queen's law officers the public grounds upon which this principle rested.

The general rule of foreign courts is, to receive only those who are received at home.

The king could not with propriety require any point, of foreign governments, the refusal of which would not afford his majesty just grounds of resentment or remonstrance.

It would be neither for the king's dignity nor for the queen's comfort, that she should be made the subject of such a question.

To this it was replied, for the queen, that with respect to this new proposition on the part of the king's servants, it should be taken into immediate consideration; but her majesty's law officers observed, that her majesty was not in the situation referred to in the above reasoning, having been habitually received at court in this country for many years, and having only ceased to go there in 1814, out of regard to the peculiarly delicate situation in which the unfortunate differences in the royal family placed the late queen.

The latter observation was met, on the part of the king's servants, by a re-assertion of his majesty's undoubted authority on this point, whether as king, or as Prince Regent in the exercise of the royal authority; that the court held by her late majesty was in fact the court of the Prince Regent, then acting in the name and on the behalf of his late majesty, and that the present queen, then princess of Wales, was excluded from such court.

(Signed) WELLINGTON.
CASTLEREAGH.
H. BROUGHAM.
T. DENMAN.

No. 5.—PROTOCOL of the fifth conference, held at the foreign office, June 19th, 1820.

The protocols of the preceding conferences were read, and agreed upon.

Her majesty's law officers stated, that the proposition of yesterday had been submitted to her majesty, and that it had not produced any alteration in her majesty's sentiments.

In order to avoid any misinterpretation of the expression used on mentioning their belief that her majesty might overcome her reluctance to go abroad, viz. "under all the circumstances of her position," they stated, that they meant thereby, the unhappy domestic differences which created the difficulty of her majesty holding a court, and the understood sense of parliament, that her majesty's residence in this country might be attended with public inconvenience.

They also protested generally, in her majesty's name, against being understood to propose or to desire any terms inconsistent with the honour and dignity of the king, or any which her own vindication did not seem to render absolutely necessary.

MEMORANDUM.

The 2nd and 3rd points, as enumerated for discussion in the protocol of the first conference, were not brought into deliberation, in consequence of no satisfactory understanding having taken place upon the points brought forward by her majesty's law officers.

The five protocols were then respectively signed.

(Signed) WELLINGTON.
CASTLEREAGH.
H. BROUGHAM.
T. DENMAN.

The titles of the above Papers having been read by the clerk at the table,

Lord *Castlereagh* said, that he felt it to be his duty to apprize the House, that his majesty, feeling that every effort should be made to prevent the necessity of proceeding farther with the delicate question which had recently been brought under their notice, had consented that it should be considered elsewhere. In consequence of the course adopted having failed to produce the desired effect, he was authorized by his majesty to present certain papers, by which the whole of the proceeding would be communicated to parliament. He felt great pain in stating that the course proposed and adopted had not led to any satisfactory arrangement on the subject. From the great importance and the extreme delicacy of the question, the discussion of which had been repeatedly deferred, he felt that it would be very improper on his part, and exceedingly unfair towards the House, to press the consideration of the subject until gentlemen possessed the most authentic information connected with it. By that means the House would be relieved from the painful situation in which it at present stood, and would be enabled to judge of the efforts that had been made to arrange this unfortunate business. The papers were now in the progress of being printed, and would be given out to gentlemen early to-morrow. He therefore felt it to be his duty to move that the House should adjourn over, till Wednesday, the consideration of this question. It was necessary, before they proceeded to the farther consideration of the king's message, that all the circumstances of the case should be laid before them; that they should be enabled, at once, to view it in all its bearings, before they determined how they were to dispose of a question surrounded by so many difficulties. His lordship then moved, "that the papers do lie on the table."

Mr. *Brougham*, in seconding the motion, begged to express to the House his concurrence in the view the noble lord had taken of this subject. He assured the noble lord that he could not feel greater pain than he experienced, in consequence of the want of success which had attended the effort that had been made to adjust the unfortunate differences that had occurred between those illustrious personages. He was anxious that the papers should be printed; and he hoped, when they were in the hands of gentlemen, they would find no reason to award any blame to her majesty; there was nothing contained in them that could cast any censure on her. It was possible —barely possible — amongst the many other peculiarities of this distressing case, that the House might be induced to adopt the opinion that no blame attached to either party.

The motion was then agreed to; and the consideration of his majesty's message was further adjourned till Wednesday.

The Budget.] The House having resolved itself into a committee of Ways and Means,

The *Chancellor of the Exchequer* rose. He stated, that feeling how difficult it was under the circumstances in which the House was then situated, for him to obtain that attention without which a financial discussion could not be intelligible or satisfactory, he should in the shortest, as well as the clearest, manner in his power state those particulars which it was his more immediate duty to bring under the consideration of parliament on that day, without attempting to enter into the discussion of general topics, which might be introduced with equal propriety on other occasions.

The first point to which he wished to call the attention of the committee, was the amount of the supply which had been granted for the service of the year under its several departments, and he should then proceed to show the funds from which the expenditure was intended to be defrayed, adding such explanations at the close of his statement as appeared to be necessary to elucidate the several points to which he had referred.

The first great head of expenditure to which he should call their attention, was that of the army. For military services there had been granted in the present year, including some items which still remained to be voted, the sum of 9,422,000*l.* In the preceding year the grant had amounted to 8,782,000*l.*, but the actual expense had exceeded that sum, in consequence of the augmentation of force which had taken place towards the close of that year, and which had been partly included in the votes of the present session. Much as he might regret the causes which led to this augmentation of force, he should not then think it necessary to trouble the committee by entering upon them, being satisfied that the conviction was general in the country, as well as being sensible in his own mind, that the augmentation had not arisen from any voluntary disposition in the government to increase the military force, but from the urgent necessity of finding additional protection for the loyal and industrious part of the population of the country.

He next adverted to the naval services, which amounted to 6,586,000*l.*; and under which head of expenditure there had also been an increase of 150,000*l.* arising principally from the same necessity which had produced the augmentation of the expences of the army, an additional number of 2,000 marines having been voted to perform garrison duty on shore.

The ordnance estimates amounted to 1,204,000*l.* being nearly the same as in the last year; and in both the actual expense considerably exceeded the sums granted by parliament, the surplus being made good by the sale of stores remaining at the close of the war, and which it was no longer necessary to preserve.

The miscellaneous services he should estimate at 2,100,000*l.* being about 22,000*l.* more than in the year 1819; but in the estimate of the present year he included the sum which it had been supposed would be necessary for the expences of the coronation. The total amount of the heads of expenditure which he had enumerated was 19,313,000*l.* being about 825,000*l.* more than those of the last year; but this excess in the expense of the general service of the state would be in part compensated by a diminution of the charges of the unfunded debt, which, in 1819, had amounted to two millions, viz. 1,570,000*l.* for interest, and 430,000*l.* for sinking fund on exchequer bills. In the present year it was only necessary to provide one million for the interest, and 410,000*l.* for sinking fund. The total sum to be provided for the service of the year would therefore be 20,723,000*l.*, while, in 1819, it had been 20,488,000*l.* But, in addition to the pension necessary to be made for the services properly belonging to the year, there was to be added a sum for the further reduction of unfunded debt. It had been recommended by the committees of both Houses of Parliament, that the sums due by government to the Bank should be diminished by a repayment of 10,000,000*l.* of which 5,000,000*l.* having been provided for in the last year, there remained a sum of 5,000,000*l.* now to provide. It also appeared to be necessary, in order to remove the pressure of unfunded debt upon the market to provide for a further reduction of the exchequer bills in the hands of individuals to the extent of 4,000,000*l.* making in the whole a diminution of unfunded debt to the amount of 9,000,000*l.*, which, added to the provision for the services of the year, would make a total of supply to the extent of 29,723,000*l.*

To meet these charges, the first article of Ways and Means was the continuation of the usual annual taxes, amounting to 3,000,000*l.* The next would be a grant upon the produce of the temporary excise duties which had been continued since the war. In the year 1819, 3,500,000*l.* had been granted upon those duties, being about equal to their actual produce in the then preceding years; but owing principally to the variations of payment which had been caused by the consolidation of the excise duties, in July last, there remained on the 5th July, 1820, a sum of 900,000*l.*, still to be made good upon that grant. He should, therefore, for the present year, propose to vote only 2,500,000*l.* upon that fund, in order that the grant might be nearly completed before the month of April next. The remaining articles of ordinary income were the lottery and the old naval stores. The former he should estimate at 240,000*l.* and the latter at 260,000*l.*, being the produce of the sales of the last year. The total amount of these several items of ordinary income was six millions, which being deducted from the supply he had before stated, would leave the sum of 20,700,000*l.* to be provided for by extraordinary means.

He had already had occasion to explain to parliament the mode in which seven millions of exchequer bills had been funded, and a loan of five millions contracted, and he had had the satisfaction to observe, that the terms which he had obtained for the public in each of those transactions had met with the general approbation of the House. He should now further propose a vote sanctioning a loan of 12,000,000*l.* from the sinking fund, making in the whole an amount of Ways and Means of 30,000,000*l.* and exceeding the supply granted by between two and three hundred thousand pounds. There remained a small article of income which it would be necessary to vote, but of which he could not offer a specific estimate. It would arise from the repayments which might take place of advances made to corporations or individuals under the authority of the act of the 57th of his late majesty, for affording encouragement to public works. Under that act, about 1,000,000*l.* had been advanced in exchequer bills, which would become due in October next, and for the payment of which parliament had made provision in the present session; but the individuals who had received these loans were in many instances allowed to repay them by distant instalments, so that only a small proportion of the sums advanced could be expected to be repaid in the present year; the whole transaction would, however, be ultimately wound up without any loss to the public, and at a rate of interest, which would afford provision for all the charges attending the operation of the act.

Having thus stated the various items of Supply and Ways and Means, it might be necessary to explain the situation of the unfunded debt, as settled by the votes of the last year, and as now proposed to be reduced by the arrangements for the present. The amount of exchequer bills, authorized to be issued by the acts of 1819, was 36,500,000*l.*, to which was to be added the sum of 1,000,000*l.* issued, as he had before observed, under the 57th of the late king, and also 2,000,000*l.*, of Irish Treasury bills, the value of which the Bank of Ireland had advanced to government. He should propose for the present year to grant 29,000,000*l.* of exchequer bills, and 1,500,000 of Irish Treasury bills, making together 30,500,000*l.* and making a diminution of the unfunded debt compared with the last year, as he had before stated, of 9,000,000*l.* The exchequer bills he should propose to vote this evening, but to reserve the Irish treasury bills for a future occasion, as he was not certain whether the Bank of Ireland, which had already exchanged 500,000*l.* of the Irish treasury bills, held by them for English exchequer bills, might not be desirous of exchanging a further sum in the same manner.

The terms of the sinking fund loan he should propose to regulate by those of the contract which had been entered into for the loan of 5,000,000*l.* it appearing to be the most equitable principle, that the sum of public money borrowed from the commissioners of the sinking fund should be taken at the same rate of interest as that at which the money of individuals had been advanced. The payments of this loan would be so arranged as to leave the sum of 5,000,000*l.* applicable by the commissioners to the purchase of stock in the year ended the 5th July, 1821. In the year ended 5th July, 1819, the sum applied by the commissioners had amounted to about 4,400,000*l.*, including about 600,000*l.* applied in Ireland. In the present year, the total sum would be somewhat more than, 5,000,000*l.*, of which between, 600,000*l.* and 700,000*l.* would also be applied in Ireland, leaving about 4,400,000*l.* for purchasers in England; and here it might be proper for him to answer a question, which had been more than once put to him by the hon. member for Penryn, viz. why, as the sinking fund now amounted to 17,000,000*l.* and would therefore have been sufficient, in addition to the proposed loan of twelve millions, the remaining sum of five millions had not also been borrowed from the sinking fund, so as to leave no sum to be borrowed from individuals. To this he should answer, that although the amount of debt remaining unredeemed at the close of the year might have been nearly the same in one mode of proceeding as in the other, yet it appeared to him that the effect upon credit and public convenience would have been extremely different in the two cases. The purchases of the commissioners had not only the effect of cancelling a certain portion of stock at the end of every year, but by their equable and regular operation they in a degree regulated the market during the whole of the year, and prevented those sudden fluctuations which the accidental circumstances of forced sales and of the combinations of speculators might otherwise occasion. Whatever might be the necessity of an individual to bring his stock to sale, he knew that there was a constant and considerable purchaser in the market, and that he could not fail at last with the delay of a few days to obtain the fair current price of what he had to sell. It was also to be recollected for how many years the public had been accustomed to the constant practice of these purchases, and how much their feelings might have been acted upon, and their apprehensions excited by the total cessation of an establishment, which has always been deemed so beneficial. He had not indeed been without some alarm at the effect which might be produced upon public opinion in the last year, when a loan from the sinking fund was for the first time carried into effect. He was ready to allow that the experiment had ended more favourably than he had apprehended it might do, but the difference was very great between the diminution, though considerable, and the total cessation of a resource of this kind. In future, indeed, he hoped that this ground of difference of opinion between the hon. member and himself would no longer exist, for he saw no reason to depart from the expectation which he had last year held out to parliament that the loan lately concluded would be the last, which so long as peace continued, the government would be under the necessity of contracting, except by application to the commissioners for the sinking fund.

He was here naturally led to explain a part of the subject, which had on various occasions been alluded to, and which nearly connected itself with this question —he meant a comparison between the estimates which had been formed in the session of 1819, and the actual result of the finances of that year. He was ready to admit that it was less favourable than had been anticipated; but he contended that the failure was not so considerable as to exceed ordinary fluctuations, or to justify the alarms which had been frequently expressed. The finance committee in April, 1819, had estimated the total income of the United Kingdom at 54,000,000*l.*, its actual produce had been very near 53 millions, of which, however, 500,000*l.* had arisen from taxes imposed since the committee had made their report. The diminution, therefore, of revenue which arose almost wholly in the October quarter, and in the branch of customs might be taken at 1,500,000*l.* They had estimated the clear excess of income beyond expenditure at about 2,000,000*l.*, to which would have been added the amount of any taxes afterwards imposed. The actual excess estimated in various ways might be taken from one million to a million and a half, and though certainly much less than was desirable to secure the prosperity of the country in the time of peace, yet was sufficient to complete the gloomy observations which were frequently thrown out of a great existing deficiency. In the present year it appeared from the accounts on the table as nearly certain as any estimate which could be formed, that the new taxes imposed in 1819 would produce at least the estimated sum of three millions. There would therefore, be a sum of about 2,500,000*l.* to add to the surplus of income beyond expenditure in 1819, making a clear improvement in one situation in the present year of about three millions and a half. It is true that this sum falls considerably short of the 5,000,000*l.* of clear income which was last year intended to be provided by parliament; but although that estimate might not be realised in the present year, which laboured under some circumstances of depression too obvious to require particular notice, he by no means saw reason to doubt that it would be speedily completed. One indispensable requisite indeed, as well to all financial prosperity, as to every effective economy, and to all encouragement of industry, was the complete and permanent establishment of tranquillity and good order among the people. When that great point was effectually secured, he felt the greatest confidence of the rest.

Having completed this part of his statement, he adverted in a subsequent explanation to the mode by which the charges of the loans were to be provided for. The principle which he adopted was that of the act of 1813. It had been at that time explained, though not positively enacted, that a sum of one hundred millions ought, in time of peace, to be reserved in the hands of the commissioners as a resource for the first exigencies of of any future wars. That sum had been now completed, and there was a considerable excess in the hands of the commissioners. The sum now actually standing in their names amounted to about 144 millions. He should therefore propose to provide for the charge of the present loans, by cancelling the excess of stock beyond 100 millions in the names of the commissioners, to such an extent as was necessary for providing for the expense as it arose, and so as to leave the sum of at least five millions as a clear sinking fund for the present year. The right hon. gentleman concluded with moving his first Resolution, "That towards raising the Supply granted to his majesty the sum of twelve millions be raised by annuities."*

Mr. *Baring* did not intend to examine any part of the right hon. gentleman's statement, but rose chiefly to express some degree of surprise that no information had been communicated with regard to the consolidated fund.

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* The following is a correct statement of the Supplies and Ways and Means for the present year as compared with those of last year, together with the account of the Unfunded Debt for the years 1819 and 1820.

SUPPLIES.

Granted for 1819.		Estimate for 1820.
8,782,470	Army	£.9,422,000
6,436,781	Navy	6,586,700
1,191,000	Ordnance	1,204,600
2,078,197	Miscellaneous	2,100,000
18,488,448	Total Supplies	19,313,300
1,570,000	Interest on Exchequer Bills	1,000,000
430,000	Sinking Fund on Do.	410,000
20,488,448		20,723,300
10,500,000	By Reduction of Unfunded Debt	9,000,000
30,988,448		29,723,300

WAYS AND MEANS.

Granted for 1819.		Estimate for 1820.
3,000,000	Annual Malt	£.3,000,000
3,500,000	Excise Duties continued	2,500,000
240,000	Lottery	240,000
334,000	Old Stores	260,000
7,074,000		6,000,000
12,000,000	Loan	5,000,000
12,000,000	Sinking Fund Loan	12,000,000
	Funding Exchequer Bills	7,000,000
31,074,000		30,000,000

UNFUNDED DEBT.—1819.

Exchequer Bills, 59 Geo. 3rd, c. 4	20,000,000
Ditto. 59 Geo. 3rd, c. 131	16,500,000
Irish Treasury Bills	2,000,000
Bills issued for aid to Manufacturers, Fisheries, &c. 57 Geo. 3rd, cap. 34	1,000,000
	39,500,000

1820.

Exchequer Bills	29,000,000
Irish Treasury Bills	1,500,000
	30,500,000
By Reduction of Unfunded Debt	9,000,000
	39,500,000

Mr. *Hume* inquired whether the French contribution of two millions was forthcoming.

The *Chancellor of the Exchequer* observed, that the hon. member had taken the two millions of francs, which was the French contribution, as pounds. In allusion to what had fallen from Mr. Baring, he admitted the great importance of that subject, and could only plead as an excuse for having omitted it, the necessary complication of so many points as it had been his duty to refer to. In the course of last year the deficiency on the consolidated fund had amounted to 3,000,000*l.* The deficiency, however, had arisen before the new taxes became productive, and also included the charge of two loans —those of the years 1818 and 1819. The new taxes covered that charge, and left a surplus of 1,800,000*l.* upon the whole year, or an improvement of 700,000*l.* in the last quarter.

Mr. *Grenfell* wished for some farther explanation as to the expected amount of the sinking fund.

The *Chancellor of the Exchequer* professed his readiness to lay before the committee every particular of the arrangements which he had in view, and upon which he framed his calculations. It was true, as the hon. member seemed to think, that it was his intention to cancel stock to the amount of this proportion of unfunded debt. This proceeding referred to an act of 1813, which provided for making stock in the hands of the commissioners applicable to the service of the year, and under which a plan was devised for accumulating stock to the amount of 100,000,000*l.* against the breaking out of a new war. It was only from a surplus above that sum of a hundred millions that he took the proposed sum of 12,000,000*l.* In the year 1821, he trusted that the whole accumulation would amount to 115,000,000*l.*

Mr. *Grenfell* contended, that the plan of the right hon. gentleman was still calculated to diminish rather than cause any real excess of the revenue over the expenditure. With reference to the consolidated fund, he repeated what he had said on a recent occasion, that it was a most unseemly and odious blot on the character of the government, to allow of a constant deficiency in that fund of between seven and eight millions; and he strongly urged the expediency either by a loan, by the issue of exchequer bills, or by some other mode to put the matter straight. Government were placed by the present state of the consolidated fund in this situation—that they could not pay any quarter's dividend to the public creditor but at the will and pleasure of the Bank of England. The right hon. gentleman must altogether depend not only on the ability of the Bank to assist him, but on their will and pleasure to do so. Was it fitting that government should thus be in the power of a corporation, with reference to the means of paying the dividend to the public creditor? Was it possible that in that state of things the chancellor of the exchequer could feel himself in that independent condition which could alone enable him to make the best bargain for the public? As to the loan of twelve millions from the sinking fund, his right hon. friend had by no means convinced him of the propriety of continuing the present system. The right hon. gentleman knew that the whole system was fictitious—that it had no existence but in books, where it appeared to be so much stock for so much money. In reality, it was neither the one nor the other, but a thing that ceased in the very moment that it came into existence. With regard to its connexion with the affairs of the Bank, he had so often discussed that subject that he should not go into it at present.

Mr. *John Smith* disagreed altogether from the hon. gentleman who had just spoken, as to the operation of the sinking fund; and maintained that it created a market for stock, and thereby prevented its depreciation. Adverting to the general question of our financial condition, he observed, that although he by no means charged it as matter of blame, yet that in fact almost all the expectations which had been last year held out by the chancellor of the exchequer had been disappointed. Our revenue had decreased, and our expenses augmented; and that, five years after the termination of war! He confessed that he had long entertained a melancholy foreboding of our actual condition. For the first time he had observed a suspicion and a distrust of the credit of this country. This was a new feature in our situation. In the midst of the late long and dangerous war, this country had been considered the asylum of property. Foreigners brought property of every description to England; but things were so much changed, that many Englishmen were at the present moment investing a portion of their property in foreign funds, in order to have a nest egg. The fact was, that the real state of our finances was very little known in that House. This was mainly attributable to the bad mode of keeping the public accounts. In a variety of points, and especially in those parts of them which related to exchequer bills, the accounts might be rendered much more clear and explicit. He concurred in what the right hon. gentleman had said, of the impracticability under existing circumstances of touching the capital of Ireland. Adverting to the Austrian loan, he observed that the circumstances of Austria might have improved within a few years, and he should be glad to find that some application had been made by our government for the repayment of that loan. He contended that ever since the close of the war we had been going on most improvidently. He charged the government with useless extravagance. He did this without the least bitterness; for he thought it was a charge which attached on every member of the House. With some few exceptions, he thought that they were all greatly to blame for not having paid more attention to our very extraordinary expenditure. In the civil department of the ordnance, of the navy, of the army, &c. money had been expended —he would not say uselessly, but without absolute necessity. If a private individual became distressed, what course did he take? He looked into his affairs, he retrenched his superfluities, and perhaps some of his necessaries, and he took care not to be guilty of any expense for which there was not an absolute necessity. Such however, was not the course which government and the legislature had pursued. Now, in looking over the account of public expenditure, he found many charges under the head of pensions. Those items were looked upon as of little importance, but he saw the other day a pension of 550*l.* a year granted, certainly to a very respectable individual, now governor of Trinidad, for five years service, that gentleman also receiving the salary of his present appointment. The blame of this and other charges on the public revenue were not to be wholly attributed to government. The blame ought to be laid upon parliament generally. The House had, in fact, shown the greatest apathy on such occasions; an apathy which he feared was too much felt out of doors. They ought to look with the greatest jealousy to the expenditure of the country. The revolutions which had taken place in all modern states had originated in the embarrassed state of their finances. He apologised for having trespassed on the attention of the House, but he begged of them to consider what they were about. Unless a different system was adopted, he feared the day was not far distant which would bring the deepest and most calamitous distresses on the country.

Mr. *Ricardo* said, he could not clearly understand the alleged benefit which the money-market was to receive from the right hon. gentleman's arrangement. It was certainly a subject of lamentation that, after five years of peace, we should still find our expenses increasing. According to the right hon. gentleman we had had effectually a sinking fund of but 1,000,000*l.* during the last year; but if this were correct, and the right hon. gentleman were to follow out the statements contained in the report of the finance committee, he would perceive from the expenditure that there had been an actual deficiency. He would here observe, that he found an item of 1,125,000*l.* perfectly unexplained. There was no account by which he could trace the manner in which it was proposed to provide for this item of 1,125,000*l.* The surplus of 1,000,000*l.*, which had been mentioned by the right hon. gentleman, he had already taken into account; but he must contend that this sum of 1,125,000*l.* still appeared as against the accounts given in by the chancellor of the exchequer, whether he looked at this or at that paper. This sum of 1,125,000*l.* ought to appear, therefore, among other outstanding demands. He had a right to presume that the right hon. gentleman was bound to provide for this particular one, among the others. Next year it was anticipated by that right hon. gentleman that we were to have a sinking fund of between three and four millions. During the present year, he said, that he calculated, after deducting 9,000,000*l.* of unfunded debt to be paid off from 11,000,000*l.*, that there would be a sinking fund of about 2,000,000*l.* But the right hon. gentleman seemed to forget, that this imaginary improvement of his was made to appear twice in the same statement. He first of all said, that we should have a sinking fund of such and such an amount; but, when he came to speak of the deficiencies upon the consolidated fund, and of the fund out of which they were to be supplied, he must have forgotten, when he was expatiating upon the sinking fund, that he was alluding to that out of which those very deficiencies were to be so supplied. And, throughout all these accounts, he had clearly forgotten that there was, in the quarter ending in January 1819, a deficiency of 8,000,000*l.* upon exchequer bills. He quite agreed in every word that had fallen from his hon. friend, the member for Penrhyn, respecting the alarming deficiency upon the consolidated fund. He quite concurred with him in saying, that that which was the growing produce of the consolidated fund used to be sufficient to pay all the demands upon it for the current quarter; whereas, instead of this, it was now found insufficient to pay even the arrears of the preceding quarter. During the last year, he considered the finance committee to have pursued a very good plan in letting them know what was the real state of the finances of the country. The committee had allowed them to see, in that, whether their amount was greater or less than it had been at that time twelve months. Now, he had endeavoured to apply the very same plan to the accounts of this year; and he found it to apply to them in a most remarkable manner. The committee last year estimated the unfunded debt at 53,133,000*l.* They took the amount of exchequer-bills in circulation, of Irish treasury bills, deficiency bills, &c.; and the result of their estimate was 53,133,000*l.* By the papers before the House, it appeared, that at the period to which they were made out, the unfunded debt was actually diminished in the sum of 2,000,000*l.* only, although the right hon. gentleman calculated that diminution at upwards of 10,000,000*l.* If, however, the papers before them were correct, he must contend, that the amount of actual diminution upon the unfunded debt, between the 5th of January 1819, and the 5th of January 1820, was only 2,000,000*l.* It was now necessary to see in what ratio the funded debt had increased; and by the returns that had been made to the House, they would find that the sum actually received by loan (which loans last year amounted to 24,000,000*l.*) was 18,736,000*l.* Deducting the sinking fund from this, the balance must necessarily be the actual amount to which the funded debt had been increased during the present year; and that increase was to the exact extent to which the unfunded debt had been this year paid off, namely, 2,000,000*l.*: so that, after all the complicated accounts that had been submitted to the House, the general result was this—that they had decreased the unfunded debt 2,000,000*l.* and had increased the funded debt 2,000,000*l.* It had been said that, in point of fact, there was no sinking fund whatever, for that the deficiencies upon the interest of exchequer-bills would amount to a sum about equal to that fund. And indeed it appeared to him, that these deficiencies had increased 1,370,000*l.* more than they amounted to last year. He had one observation more to make about the funding of 7,000,000*l.* of exchequer bills. The hon. member for Penryhn had paid some compliments to the chancellor of the exchequer, for having upon this occasion funded in the 5 per cents, rather than in any other stock. But, in order to contend that that was a judicious measure, he ought first to have shown that there was a sufficiency of capital to fund in the 5 per cents rather than in the three per cents. If they possessed a very large sinking fund and that sinking fund was likely to be operative, then undoubtedly it was proper to fund in a new stock and create one of 5 per cent in preference to funding in the 3 per cents; and, in that view of the question, he should have been disposed to have approved of the former of these measures. But, seeing that they possessed little or no sinking fund, he was very much disposed to doubt, whether the terms of such a loan would be of that advantageous character which his hon. friend seemed disposed to attribute to them.

Mr. *Maberly* could not but remark the great difference that existed between the present propositions of the right hon. gentleman and those which he had made last year. Last year he came down to that House, and said, that during the preceding year, he had been acting upon temporary expedients, but that he was then beginning to act upon a permanent plan, whose operation would be to make a sinking fund of 5,000,000*l.* The right hon. gentleman, on that occasion, laid the strongest stress upon the position, that a sinking fund of 2,000,000*l.* was not sufficient; he therefore proposed 3,000,000*l.* in addition, and declared that less than 5,000,000*l.* would not be sufficient to support public credit. The right hon. the member for Chichester concurred in the same opinion. His words were, that he would not place in the hands of any corporate body whatever the chance of ruining our credit; that it would be a very inexpedient thing to go on with the consolidated fund in its then arrears; and above all, he said that the credit of that fund was bound up with the credit of the empire.—Here the hon. gentleman entered into a recapitulation of charges and items; the purport of which was, to show that the measures hitherto adopted by government, in regard to the deficiencies upon the consolidated fund, had been inefficient. The total deficiency upon the last quarter in these accounts, if every charge were brought under consideration, would be about 500,000*l.*; and he was very much afraid that the right hon. member for Chichester, who understood the finances of the country so well, would find the plan that had been adopted a very bad one for providing against these deficiencies, supposing the exchanges should be against us, and that there should be a rise in the price of gold. Admitting there was an increase of 2,000,000*l.* upon the ordinary revenue of this year over that of the last—giving ministers credit for this accession of income—it resulted from the papers before the House and the calculations to be made upon them, that on the 1st of January 1821, the consolidated fund would be in debt 9,500,000*l.* Last year the right hon. gentleman had stated his supplies at 20,427,000*l.*, and his ways and means at 7,024,000*l.*, leaving a difference of 13,403,000*l.* But to this difference of 13,403,000*l.* was to be added, the deficiency of the consolidated fund, leaving a balance of about 15,000,000*l.* He did not mean to contend that the revenue had not risen in amount; certainly not; and it was not his object to darken the picture at all; but what means had they of raising such a sum as 15,000,000*l.*? The right hon. gentleman's budget of this year he considered to be perhaps the best that he had ever presented to that House, because it seemed to hold out a fairer chance of realizing a sinking fund than that of any former year. He should be happy if it should turn out that he was wrong, and the right hon. gentleman right; but at present he did not anticipate a sinking fund of three or four millions, but one nearer two millions. He could not help pressing on the right hon. gentleman and the noble lord the present actual state of the sinking fund, and the consideration of what would be the consequence of attacking it, supposing they were ever reduced to that necessity by a state of war. He pressed upon the noble lord and the right hon. gentleman the necessity of adopting some measure for raising and supporting that sinking fund. For what was the condition of our finances now, and of that fund in particular, after six years of peace? For his own part, he knew of no other means of providing for so desirable an object but a property tax. He was aware of the many objections that attached to it; yet certain he was, that no other means could be devised but one, and that one was a property-tax. He could conceive no tax, the operation of which would be more generally advantageous. No gentleman whose property was vested in houses would neglect to insure those houses against fire; and he could see no reason why those measures should be neglected which would tend to insure possessions of a different description from those dangers to which, in the common course of events, they might be exposed.

The *Chancellor of the Exchequer* admitted, that the public had not yet made all those sacrifices, which, unfortunately, were necessary to the national security; but he felt convinced that they would not shrink from any sacrifices, when convinced of their necessity, and that every possible measure of retrenchment had been resorted to by government. Whether these contributions were made in the shape of a property-tax, or in any other shape, was a matter of no consequence. With respect to the present situation of the country, he felt the importance of an efficacious and productive sinking-fund; and he hoped that the produce of that fund would this year be considerable. There had been in the course of the last year a reduction of the public debt, although that reduction had not been so large as could be wished.

Mr. Alderman *Heygate*, in considering the state of the consolidated fund, deprecated those measures which went to relieve a present inconvenience by the assistance of a loan. If the chancellor of the exchequer adopted the counsel which had been given him by several gentlemen, the effect would be to pay 5 per cent for the loan of that which the Bank now furnished, partly at a very low rate of interest, and partly without any interest at all. According to an arrangement which formed part of the law of the country, the Bank were bound to furnish a certain sum of money if called upon by government, and of that arrangement they had no room to complain; for in the course of the bargain concluded with them last year, they had not even asked that the advances in respect to the consolidated fund should be placed upon any other foundation. He took this question to be infinitely more important, as it affected the quantity of money in circulation in the country, than as it went to any trifling saving of four, five, or six per cent upon the amount in question. There was a wide difference between the effect of loans raised for the service of the country in time of war, and these for the payment of the Bank. A loan for the service of the country in war left the circulating medium exactly where it stood before the loan was made; but a loan of the other description went to place the circulation of the country under the control of the Bank. It was utterly unworthy a country like England to be eternally changing her plans of finance. Nothing was more likely to discredit the country in the opinion of foreigners, than continual variation of system, and attacks as continual upon the sinking fund. He trusted that after the present year a period would be put to these repeated loans.—After five years of peace it was unwise to raise money for any purpose by way of loan. He agreed with the hon. gentleman that if the financial situation of the country were candidly and fully stated, the public would not be wanting in those exertions which would again place the nation in that state of credit which it had formerly enjoyed, and which had rendered it during the war an asylum for the capital of the world. The effect of funding 7,000,000*l.* of exchequer bills in the navy 5 per cents would be to throw upon the country an additional charge of 140,000*l.* a-year.—Upon the loan of 5,000,000*l.* lately contracted for the purpose of repaying the Bank, the additional charge beyond what was now paid to the Bank was also about 60,000*l.* per annum, and when he heard gentlemen upon that side the House advocating the cause of economy, and disputing vehemently upon a salary of 1,000*l.* a-year to a lord of the admiralty, he was surprised to see sums amounting to 200,000*l.* a-year wasted without opposition. There was another question which had scarcely been noticed during the session, but which he could not help thinking a subject of great importance—he meant the diminution of the circulating medium. He had heard the fact denied; but he was at a loss to know upon what grounds that denial could be maintained. Let the House contrast the quantity of the circulating medium which was floating in the country in May, 1818, with the amount in circulation in the same month in the present year. In the issue of Bank of England notes, there had been a diminution of 4,000,000*l.* In the issue of country bank notes there had been a diminution of 5,000,000*l.* The total decrease therefore during that short period had been 9,000,000*l.*, a sum amounting to more than one-sixth of the whole circulation of the country. The state of the exchange had been during that period almost uniformly in our favour; but not a single piece of gold had made its appearance to replace the notes which had been withdrawn. He was not so strenuous an advocate of the paper system as to deny that gold would be preferable, if gold could be obtained; but, in the mean time, a currency of some description was indispensable, and he sincerely believed, that three-fourths of the distress which pervaded the country had arisen from the haste with which so large a proportion as 9,000,000*l.* had been withdrawn from the circulation. As the market and the mint price of bullion, however, were now the same, the object of the bullion committee was at an end; and there could be no pretence for any farther diminution of the circulating medium. Paper, indeed, was at present rather more valuable than gold. The hon. member then proposed a resolution, regretting, in the fifth year of peace, the adoption of any measures tending to augment the public debt, and recommending such a system of economy as should eventually lessen the burthens of the people; and concluded by expressing his ardent hope, that the system of borrowing would henceforward be relinquished, and that the deficiency, if any, in the revenue of the next year, would be met by more manly and effective measures.

Mr. *Huskisson* agreed, that it would be highly desirable that the consolidated fund, instead of being in arrear, should afford a surplus over and above the service of the year; and wished that the state of the country would admit of the sinking fund being made more efficient. In answer to what had fallen from the hon.

member who had last spoken, he would simply quote the admission of that gentleman himself, that the value of paper at the present moment was somewhat higher than the value of gold. That simple fact formed, he conceived, a sufficient reply to all the danger which that hon. member had apprehended. He trusted that by a reduction of expenses this country would soon find itself in a situation in which the 5,000,000*l*. of the sinking fund might be realised.

The several resolutions were agreed to.

MISCELLANEOUS ESTIMATES.] The resolutions of the committee of supply to which the Miscellaneous Estimates were referred, having been reported,

Mr. *John Smith* objected to the vote of 60,000*l*. for the Penitentiary at Millbank. He thought it an enormous sum to be granted for such a purpose in the present state of the country. The situation of the building was a most unhealthy one.

Mr. *Holford* justified it, and referred to the authority of Howard.

Mr. *Lockhart* observed, that the whole building would cost 600,000*l*., and the annual expense would be 21,000*l*. so that every criminal confined in the Penitentiary would cost the country 100*l*. a-year. Government ought to take care how they permitted members of parliament to become patrons of institutions of this kind. He said that parliament, unless in cases of urgent necessity, ought not to vote an additional shilling to increase the burthens of the people.

Mr. *Hume* said, he had voted for the original construction of the edifice; but the estimate then only amounted to the half of what had already been expended. He was in favour of the resolution, that the building might be completed; and, after its completion, government might gain experience.

Sir *Joseph Yorke* thought the buildings already finished were quite sufficient for the purpose of experiment. This grant was for a new building. He thought it very wrong on the part of government to embark in such expensive undertakings, for the purpose of indulging any member in a favourite object of speculation. The expense of printing for both Houses scarcely amounted to less than 100,000*l*. per annum. He could not tell how the money was expended: it was like "the peace of God, which passeth all understanding." [Order.]

Mr. *Hume* wished to know whether there was any intention of allowing the claims of the American loyalists for the balance due to them. They were assured that the losses they had sustained would be fully made good to them. This, however, had not been yet done, though the subject had been frequently under consideration. He could look upon it as nothing less than a breach of the public faith.

The *Chancellor of the Exchequer* allowed that they were a meritorious body of men. To comply with their demands would, however, be establishing a very inconvenient precedent. They were in the same situation as many others were placed in by the chances of war.

Mr. *Courtenay* regretted the view taken of this subject by the chancellor of the exchequer. He could not allow that the case of these claimants was similar to that of any others. Their claims stood on the faith of parliament, and were quite distinct from any others.

Mr. *W. Smith* fully concurred in the sentiments of the hon. gentleman who spoke last. The only bar he could see in the way of the claimants, was their acceptance of a certain portion of what was fairly due to them. This, however, should form no objection against allowing what, by every tie of justice, the country was bound to pay. Their claims were as fair, and as strong as any in the annals of war. They had not been allowed to lie dormant. They had been revived, at different intervals, during a period of thirty years. Three fourths of the claimants were now dead; and many of them from broken hearts, in consequence of their disappointments. Lord Shelburne and Mr. Burke, though opposed to the American war, had allowed that there were no men better entitled to the consideration of the country.

The report was agreed to.

HOUSE OF COMMONS.

Tuesday, June 20.

PETITION OF LONDON MERCHANTS AGAINST ALTERATION OF DUTIES ON TIMBER.] Mr. *Marryat* said:—Mr. Speaker;—I hold in my hand a petition from the merchants and others engaged in trade with the British colonies in North America. In this petition they refer to another, which was lately presented to this House by certain merchants of the city of London, who expressed their conviction of the impolicy of the restrictive system as applied to foreign commerce, and prayed for the repeal of all duties merely protective from foreign competition. It was distinctly avowed by the hon. member who presented that petition, that one great object of it was, to produce a change in the practice, by which the intercourse with the British colonies in North America is at present regulated, and to divert a portion of the timber trade from those colonies to foreign countries in the North of Europe. The present petitioners, therefore, feel themselves bound to state, that they are extensively engaged in trade with those colonies; that many of them have embarked large capitals in erecting mills and buildings of various descriptions, and steam engines, for the purpose of sawing timber, plank, and deals; and that they cannot but feel alarmed at any attempt to obtain the repeal of those restrictions and protecting duties, upon which not only their own interests and the prosperity of those colonies, but the best interests of the mother country appear to them to depend. They beg leave to remind the House, that the general principle of colonial legislation has always been both protective and restrictive; protective by means of duties on articles the production of foreign countries similar to those produced in our colonies, and restrictive by requiring the colonies in return for this advantage, to receive all their supplies from and ship all their produce to the mother country in British ships. After pointing out the advantages of this system, the petitioners conclude by expressing their hope that the House will not consent to any alteration in the protecting duties upon timber, that may have the effect of giving greater advantages to foreigners than those which they already possess.

These petitioners have great claim to the favourable consideration of the House, for no mode of investing capital can be more conducive to the prosperity of this country, than the employment of it in the encouragement and extension of her colonial establishments. Every individual who quits his native land and settles in a British colony, becomes more valuable to his own country than he was before. He still contributes to the consumption of her manufactures, and at the same time is employed in raising commodities not the produce of her soil and climate, but which are useful either for her own consumption, or as articles of barter with foreign powers. The greater the distance at which he resides, the more his intercourse with the mother country extends her carrying trade, and makes his industry contribute at once to both the great objects of her policy, the finding marts for her manufactures, and the maintenance of her naval power.

Under this system, the prosperity of the colonies is reflected back upon the mother country. She grows with their growth and strengthens with their strength; but no such advantages are derived from an intercourse with foreign powers. They are not bound by the same double monopoly; they navigate in what ships they please, and consume what manufactures they please. Our interest in their prosperity is very indirect, and comparatively remote. Indeed the wealth they acquire, and the strength they attain, are frequently used, not for, but against us. The transfer of any branch of trade, therefore, from our own colonies to foreign nations, is an act of the highest impolicy, as well as of injustice towards our fellow subjects.

So rapid has been the improvement of the British colonies in North America under this trade, which we are now called upon to destroy, that I understand their population has been trebled since that trade was first opened, by our being excluded from the ports of the Baltic. It is stated to me upon good authority, that Upper and Lower Canada actually contain between five and six hundred thousand inhabitants.

The felling of timber is not, as has been said, an injurious employment, that retards agriculture. On the contrary, it promotes it. Land must be cleared before it can possibly be cultivated. The mode formerly practised, was that of girdling the trees, as it is called; that is, cutting off a slip of the bark all round them, to prevent the sap from rising, and setting fire to them when they were sufficiently dry to burn; but since the timber trade has brought them into value, instead of being burned, they are sold. Thus the great difficulty under which the new settler formerly laboured, of finding means of subsistence till his land became productive, has been done away, and the progress of agriculture accelerated, instead of being retarded, by the timber trade. It may farther be observed, that in the

British provinces in North America, the land is covered with frost and snow seven months out of the twelve, and all agricultural occupations are of course entirely suspended. During this period of the year, felling of timber is the sole employment; and resorted to as well by the fishermen of Nova Scotia, as by the settlers in Canada, who can do nothing else while that dreary season lasts.

These establishments for the timber trade have greatly enhanced the value of the British colonies in North America, as resources on which our West India colonies may depend for an adequate supply of timber. This consideration is rendered of the more importance, by the present policy of the government of the United States of America, who have excluded from their ports all British vessels bound to or from our West India colonies, with the avowed intention of forcing us into the surrender of that intercourse with them, under the American flag, which they enjoyed during the late war; but which our government, in conformity to our general system of navigation, have refused, and in my opinion, wisely refused to concede, since the peace. This intercourse between our North American and West India colonies, which in 1805 employed only 135 sail of vessels, of 1,620 tons burden, in 1817 employed 394 sail of 56,689 tons burthen; and I doubt not has since progressively increased, though no later returns have yet been received. But if the North American colonies are discouraged, by being deprived of their market, for timber in this country, as is now proposed, all their great establishments for carrying on that trade must be abandoned; and our West India colonies, deprived of their supplies from this quarter, will become dependent upon the United States of America. The consequences of this state of things may easily be foreseen; for history cannot furnish an example, of colonies remaining long subject to one power and being dependant for their most important supplies, and even their means of subsistence, upon another. The wants and interests of mankind naturally bring them together; and the ruin of our colonies in North America, will soon be followed by the loss of those in the West Indies.

It is impossible to impress too strongly upon the minds of the members of this House the importance of preserving our carrying trade, as the foundation of that naval power of which it must always be the measure and the standard. This truth was most strikingly exemplified in the history of Buonaparté, who, when the capitulation of Ulm had laid Austria at his feet, sighed, amidst all his victories, for ships, colonies, and commerce. Well he knew that these alone could consolidate his empire. For want of these, however, he extended his conquests; he and all his tributary nations were only prisoners in a larger cage, of which Great Britain kept the door; and all his attempts to establish a naval force proved abortive. Ships, indeed, he could command, and he filled his dock-yards and arsenals with them, from Antwerp to Venice, but seamen he could not raise, because France had lost her colonies and her commerce at the commencement of the war. Her seamen had been dragged into the field with other conscripts, and had perished. Soldiers may be made in a few months, but to make good seamen is the work of years; and for want of them, all his mighty preparations failed, and his ships lay rotting in their harbours. In the mean time, the ships of Great Britain who possessed colonies and commerce, and consequently seamen, rode triumphant on the main, and secured to her the uninterrupted enjoyment of those resources, which enabled her at length to bring the contest to a glorious termination.

The policy of our navigation system, which it is the fashion of the day to decry, is supported, not only by its practical effects, in having raised us to a greater height of commercial prosperity and naval power than ever were enjoyed by any other nation, but by the authority of the best writers on political economy. I shall at present quote but one, whom I select because he is a living authority, and one whose name has great weight in this House. In Brougham's Colonial Policy, vol. 1, page 268, it is thus written:—"It has been the policy of most of the nations possessing colonies, to encourage the breed of seamen, and the building of ships, by imposing particular restrictions upon the employment of foreign vessels and crews. No nation has adopted this plan more steadily or successfully than England. Her system of navigation laws, though at first they may have been prejudicial to the interests of her colonies, and to the progress of her own opulence, was very soon known only by its good effects."

The importance of this subject, and the

strong feelings I have upon it, tempt me to go farther into detail; but having spoken at considerable length on a former occasion, I shall not now farther trespass upon the indulgence of the House, but conclude by moving that this petition be brought up.

The petition was brought up, read, and ordered to be printed.

THE QUEEN.] Mr. *Wilberforce* gave notice, that it was his intention to-morrow to propose to the House a motion founded upon the papers which had been laid upon the table, and ordered to be printed.

Mr. *Brougham* begged the House to remember that to-morrow was a motion day, and therefore that the one of which the hon. gentleman had just given notice would have the precedence. He submitted to the House, in the mean time, whether it would not be expedient, seeing how deeply the hon. gentleman was engaged, in common with every other hon. member, in the result of this motion, that that should take place with respect to it which took place in regard to every motion where the government was itself engaged, as in cases where negotiations had taken place. He would appeal to the noble lord whether or no, in such cases, it was not usual to take the sense of the House previously to bringing forward the motion. The reason upon which he stated thus much was, that he took it for granted that his hon. friend was about to propose, either directly or indirectly, some renewal of the present broken negotiation. At the same time, this presumption was only founded upon the very general wording of his hon. friend's notice: he believed, however, that in such a case, it was to be expected that the hon. gentleman would favour them with the intentions he entertained in giving notice of such a proposition.

Lord *Castlereagh* said, that in cases of negotiation, it was not necessary, as had been supposed by the hon. and learned gentleman for the government to take the opinion of the House at all. So in the case of the negotiations at Vienna, the House was not called upon to express any opinion previously. He, therefore, had nothing whatever to propose to the House on this subject. And his own sentiments would naturally be expressed when, upon moving the order of the day, some proposition should be brought forward with a view to render it unnecessary. The hon. member appeared to think that that proposition would be quite open to discussion and explanation, whenever he should suggest it to the House. It really did not appear to him that any difficulty could be experienced in arguing the point at present at issue between the hon. gentleman and other hon. members; or in arguing other questions which might arise out of his motion, on the occasion of bringing it forward. But if they proceeded to argue them now, it might perhaps happen that the motion itself would be afterwards negatived. On these grounds, he could not see what good would result from the discussion on the present occasion, nor why the discussion of the order of the day for to-morrow was the best mode of proceeding in this case.

Mr. *Brougham* was sure the House would do him the justice to believe that he fully concurred with the noble lord in thinking any course which should be adverse to the standing orders of the day was not an advisable one; but, as the noble lord seemed to feel that no defence was at all necessary to be set up, as regarded his majesty's government, so he (Mr. B.) felt it necessary, in their vindication to say, that he was perfectly satisfied that the conduct of her majesty's legal advisers, and the conduct of her majesty herself, stood also in need of no defence. He was perfectly willing to leave both to the candour of the House and the justice of the country, and to abide by the award of their impartial judgment.

Mr. *Tierney* really thought, under the general language of the hon. gentleman's notice, that the best way would have been to have given no notice at all. If his hon. friend would now, however, state more particularly what his intentions were, and what course he intended to pursue, he would relieve himself and his hon. friends from the degree of uncertainty in which they now stood relative to the member for Bramber's object.

Mr. *Wilberforce* would have been happy to have heard what his right hon. friend had to propose as the distinct alterations to be adopted in his notice. The terms of that notice, not being drawn up on paper, might be very well susceptible of such alterations as would result from trifling varieties of opinion or slight shades of explanation. The motion in question, he thought it would be almost impossible for the House to resist, believing, as he did, that there prevailed in that House, as well as throughout the country, a real desire that all the mischiefs to be anticipated from a discussion of the existing differences between their majesties should be avoided. He could only say that such was the object of his motion.

Mr. *Tierney* observed, that the hon. member expressed a wish to hear suggestions from the House, without giving them any opportunity of knowing upon what subject. He once more asked, not for himself but for the information of the House, what the nature of the hon. member's motion was? He could see no difficulty in stating generally what was intended to be done.

Mr. *Wilberforce* said, that his motion in a great measure explained itself; its object undoubtedly was to remove, as far as possible, all obstacles to an amicable arrangement of the differences existing between their majesties.

Lord *A. Hamilton* wished merely to say, that the object of his right hon. friend was to ascertain at least the principle of the proposed motion. It seemed to be certain that that motion was to have the precedence to-morrow; and he did think, after what had occurred—after the papers had been printed and put into the hands of members—and after all the preparations they had made to come down to the adjourned debate of to-morrow—that it would not have been too much for the hon. gentleman to have stated the substance at least of his motion. He did not ask him to mention the terms, but the object ought surely to be known.

Mr. *Scarlett* felt, as every man must do, the greatest possible reluctance to go into this subject at all, but, knowing nothing excepting what appeared on the paper, would the hon. gentleman allow him to ask, whether his motion was of a nature to restore the name of her majesty to the Liturgy? because he took it for granted that such was the proposition he intended to make.

Mr. *Wilberforce* said, he would rather decline for the present giving any further explanation. He did not wish that his motion should have the precedence, although he could not help thanking his noble friend for the readiness which he had shown to concede it to him. His noble friend, by that concession, evinced a desire, in which he was joined by the whole country, to avoid, if possible, all further inquiry into this disastrous subject [Hear, hear!].

MILITARY INSUBORDINATION.] Lord *Nugent*, seeing the secretary at war in his place, rose to repeat the question he had put yesterday on the important subject of the late disturbance among a portion of the military, which had been produced, as it seemed, by the withholding of certain allowances. In adverting to this subject, he felt sure that he need not vindicate himself from the imputation of endeavouring to apologize for the motives which gave rise to the alarming claim to which he had alluded, though it was one of the many fatal evils arising out of the system of military government. His question was, for what reasons, and out of what funds, any pay or allowances had been given for special services of the military at home, when no such pay or allowances were given on service abroad?

Lord *Palmerston* was happy to afford the noble lord information upon this point. It was a mistake to suppose that the late discontents in one battalion of the guards had any reference to pay or allowances: the men had alleged no such grievance, but the disorganization was produced by a notion, certainly unfounded, that the duty they were called upon to discharge was more severe than other battalions performed. Some years ago (whether at the time of the passing of the Corn bill, or when sir F. Burdett was conveyed to the Tower, he could not state) a practice had grown up in consequence of the employment of the men at night at a distance from their barracks, when they had no opportunity of procuring food, of giving the soldiers on duty certain small rations of bread, cheese, and beer, not in money, but in kind; and even this was never allowed but when the nature of the service particularly required it. It was paid for out of the commissariat department, on an account being verified of the number of loaves, and the quantity of cheese and beer, consumed. If the noble lord wished for a statement of the amount thus disbursed, it could be furnished.

Lord *Nugent* expressed his pleasure at the satisfactory explanation afforded by the noble secretary at war. He thought that the sum disbursed, however trifling, ought to come under the cognizance of parliament, though, for obvious reasons, he did not now wish to submit a motion upon the subject. He saw no sufficient reason for these rations, when the service at home was at all events lighter than that through which the men passed in the course of a foreign campaign. He accordingly moved for "a return of the sums charged to the public for additional pay or allowance issued to the Foot or Life-guards, or any other troops, when on duty for the preservation of the Public Peace, since May, 1810."—Ordered.

KING'S BENCH PROCEEDINGS BILL.] The *Attorney General,* in moving that the House do resolve itself into a committee on this bill, said, that he was aware some objections were felt to the measure, particularly by members of the bar. No one was more anxious than himself to gratify the wishes and interests of the profession, and if the inconvenience which might be supposed to follow the bill did not fall much below the good that would result from it, he would not have introduced it. At present the chief justice was not allowed to sit at *nisi prius* for more than fourteen days after Term; one of the objects of the present bill was to extend that time. Another object was, that two judges of the Court of King's-bench might be allowed to sit at the same time, to hear *nisi prius* cases. This, he knew, was objected to, as altering the ancient constitution of that court. But when it was considered that for the last four or five years the business of that court had increased to a very great extent, that alteration must be fairly allowed to be necessary, as the only way of getting rid of that arrear. However, he would only make the measure temporary; as far as this object. He intended therefore to limit it to two years, by which time the great arrear of business might, he hoped, be got rid of. If in the mean time the measure should be found prejudicial, it would of course at the end of the term cease to be law. If, on the other hand, it were found to be beneficial, the House would see the necessity of making it permanent.

Mr. *Scarlett* said, that in duty to the profession of the law, he felt himself bound to oppose the bill. It was said that business pressed upon the court, but if the trifling causes were removed from that court which were of no benefit to the suitors, but, on the contrary, ended in the ruin both of the plaintiff and the defendant, it would relieve the court and benefit the public. But when it was said that the business of the court had greatly increased for the last years, he begged leave to deny it, and, in support of his assertion, referred to a statement, by which it appeared that the number of causes entered for trial in 1810 was 942; in 1811, 1008; in 1812, 1077; in 1813, 1033; in 1814, 803; in 1815, 879; in 1816, 899; in 1817, 809; in 1818, 810; and in 1819, 892; so that instead of an increase of business, there were during the years 1810, 11, 12, and 13, upwards of 200 causes more entered for trial than at the present period. He agreed with the attorney-general, that every facility ought to be afforded, in order to dispose of the business of the courts. And he should therefore think that the measure ought to be more general; but the plan of having two judges sitting at the same time to determine *nisi prius* cases, would only have the effect of increasing the business of the court which was, it appeared, already too great, because the greater part of the term business at present was made up of motions for new trials and arguments on points of law, growing out of *nisi prius* trials previously had, therefore the increase of trials would only increase the quantity of term business. But why was the Court of King's-bench thus overloaded? why was there so great a disproportion between the business of that court and the Court of Exchequer and Common Pleas? The Court of Exchequer had little business since the bill for authorizing the chief baron of that court to sit alone and determine equity causes. The puisne barons had almost nothing to do—they had as little to do as the barons of Scotland. Why was the business of the exchequer so little, whilst the business of the King's-bench was so great? The principal reason was this—the number of attorneys in the exchequer were very limited, the amount in clerks and assistants was but 16; if they threw open that court to the attorneys they would give the barons something to do. If such a measure would be found to interfere with the private rights of the officers of the exchequer, they would be fairly entitled to compensation. One cause of the arrear was a limitation of the number of days during which the chief justice might sit at *nisi prius* in Middlesex—an enactment which had been adopted on account of the fear which the city of London had that its business might be neglected. He thought there could be no objection to a repeal of this act. The ordinary business of the court in term time might as well be transacted by three as by four judges, when it consisted, as it so often did, of motions of course. In point of fact, a great deal of that business was transacted while one judge only was present. During that time, therefore, one judge might sit at *nisi prius*. As to the business which was at present accumulated in the Court of King's-bench, it consisted in great part of trifling causes. It was known that at the time when acts were passed to restrain actions below 40 shillings, that sum of 40 shillings was equal to 10*l*., perhaps to 20*l*. now. The greatest number of the new causes in the Court of King's-bench were for damages under 20*l*. The actions, in such cases, were no remedies; for if the plaintiff recovered full damages, he never put a shilling in his pocket. For all such causes, he wished to see a more summary and general remedy provided, and he opposed this measure, chiefly to compel the attorney-general to use the influence of his high station to procure the adoption of a more extensive measure, which might relieve all the courts from a species of business which was of no advantage to the suitors, and which threw discredit on the administration of justice.

Mr. *Warren* was of opinion, considering the state of the business in the King's-bench, that this bill was absolutely necessary. What was the situation of the court at the present moment? There were about 108 causes in arrear at Westminster, and 200 in the city of London, forming an aggregate of 308 remanent causes. Any measure that tended to decrease such an arrear ought to be supported by the House. The object of the bill was, to employ two judges in performing the duty, which was now effected by one—a plan from which great and evident advantage would be derived. The learned gentlemen apprehended that much inconvenience would be felt from the adoption of the proposed mode. Now, he did not mean to deny that some bill, more extensive in its nature, might perhaps be hereafter necessary; but that, he conceived, was not a good reason for objecting to the bill now before the House, if, for the time present, it wrought well. If the clause relative to the duration of the bill went to render it permanent, he certainly would oppose it; but, as the learned attorney-general was of opinion that the object would be practically obtained by making the measure temporary, and as he had given notice that he would, in the committee, move that its operation should be confined to two years, he conceived the objection that might otherwise be advanced was almost wholly obviated. He thought, however, that the period of two years, to which the attorney-general meant to limit the operation of the measure, might be curtailed with advantage. The learned gentleman had pointed out many modes by which the evil complained of might be removed. But whether his propositions were good or bad was not a question proper to be then discussed, since they wanted some speedy remedy. The learned gentleman advised parliament to open the Court of Exchequer. Whether such a measure would or would not be beneficial was doubtful; but, even if it were admitted to be likely to produce good effects, it could not be adopted in the present session. It was a subject that would require long and mature consideration before it was submitted to parliament. He was much surprised when the learned gentleman said he was authorized on the part of one of the judges to object to this measure. He should have thought, if it were not for the positive statement of the learned gentleman, that when a proposition was made for the relief of the judges of the Court of King's-bench, any one of those judges would be the last person to make the sort of objection that had been introduced. If increase of salary were contemplated, was the present, he would ask, the time to demand it? In his opinion, there appeared to be something invidious in bringing such a proposition before the House. It simply went to this,—"If you throw more labour on us, we shall certainly expect an increase of salary." But, as the learned gentleman had declared that he was authorized to make such a statement, it was to be inferred that he had had a communication with some one of the judges, who had decided, that, if he were burthened with additional labour, he must have an additional salary.

Mr. *Scarlett*.—I stated that the learned judge did not approve of the bill.

Mr. *Warren*.—If he understood the learned gentleman correctly, his statement was, that, unless the salary of the judge was raised, he would not undertake the duty. Another objection to the bill was, that the client would often be deprived of the benefit of that counsel whom he wished to employ. In some cases this would certainly be very disadvantageous; but they must balance the inconvenience which attended the existing system with that which was likely to arise from the plan proposed. They must balance the inconvenience which clients might sometimes experience with that which must attend an arrear of 300 causes all ready to be tried, the witnesses examined by solicitors, the briefs drawn up, and much money laid out. But with respect to this alleged inconvenience, did it frequently happen that one counsel possessed such extraordinary acuteness of mind, such transcendant talent, such amazing legal knowledge, that all the attorneys of the kingdom must run after him? That was a situation, in which he believed the bar had never been placed. Although there might be a gentleman of extraordinary talent engaged in the legal profession, still there were always some others whose abilities (at some little distance, perhaps, from his) were yet highly respectable. A client was not, therefore, left without a fair choice. Let the House compare what was now proposed to be done, with what was effected, in 1813, in another court. At that time the lord chancellor was borne down by the number of causes, and the suitors in his court complained that they could not obtain justice. The remedy proposed was, that another court should be formed, and that the lord chancellor should determine what causes should be tried there. The same discretion was given by this bill to the chief justice of the court of King's-bench. He had inquired of some learned gentlemen what inconveniences they felt in the vice-chancellor's court. They said that they experienced some difficulty at first, but not much. Like all other alterations, when it was brought fully into action it had worked facilities for itself; and the difficulties connected with the present measure would ultimately cease and vanish, like those which were, in the first instance, felt in the vice-chancellor's court.

Mr. *Lockhart* said, the learned gentleman who had just sat down had argued that, if the measure proposed were likely to remove, for the present, the inconvenience complained of, it ought to be adopted. He entirely denied the truth of this position. He did not consider that all inconveniences and misfortunes were good for nothing. They frequently had their benefits within themselves. For his own part, he could wish the inconvenience to grow to a greater height than it had at present arrived at, if it ultimately led them to a suitable remedy. The learned gentleman had observed that this would be but a temporary measure, and that others at a future time might be proposed. He, however, totally objected to these palliatives. If they took a judge, who ought to be sitting *in banco*, to hear causes at *nisi prius*, they must lose sight of those ulterior remedies which were necessary in the course of justice. In cases of the kind to which his learned friend (Mr. Scarlett) had referred, where, if 40*s.* were recovered, the successful party was entitled to but 40*s.* costs, not less than 28 persons were employed. There was a judge, an associate, a crier, two counsel on each side (one of them sometimes a king's counsel), two attornies, and 12 jurors. Such a case as this tried in the court of King's-bench, was fraught with ruin to both the parties, and might in fact be termed a mockery of the administration of justice. Cases of this kind should be removed to an inferior jurisdiction. Of late years more political causes than were ever before known had come before the court of King's-bench. It was not right then, that the chief-justice should be overborne by the weight of business. He should be allowed some degree of leisure, in order that he might preserve that calmness and serenity of mind which it was impossible to do under the extreme pressure of constant business. The learned gentleman might say, that the argument made against his own view of the subject, since the bill was intended to grant relief and afford leisure to the chief justice. But he would answer, that the puisne judges, who were called in to assist the chief-justice with their counsel, should, equally with him, be allowed repose and leisure, in order that they also might discharge their functions in the best manner. But, if the whole court was to be brought into action; if the chief justice and the puisne judges were to be perpetually engaged in trying causes at *nisi prius*, not one of them would be able to bring his mind to the free, fair, and unembarrassed consideration of the many important subjects which called for decision. The best mode would be to remove from the court of King's-bench those frivolous and absurd causes, which not only pressed most heavily on the judges, but were ruinous to the parties engaged in them. Legal remedies of a more cheap description, and more easy of access, ought to be devised for the subjects of the realm. The chancellor of the exchequer, he observed, was attending to this question, and probably would oppose the introduction of such a remedy as he had adverted to, on the ground that it would diminish the revenue. But it would be much better, instead of raising taxes by means of stamps on legal proceedings, which, in effect, caused a denial of justice to the subject, if the right hon. gentleman would give his consent to the removal of those heavy imposts, and cast about in his mind for some other mode of raising revenue that would not be liable to such insuperable objections.

Mr. *Chetwynd* objected to the bill, first, because it was unwise in its provisions, and, next, because it imposed a greater degree of labour on the puisne judges of the court of King's-bench, without providing for them any additional remuneration. Much of the time of the court was taken up in consequence of *ex-officio* informations moved by the attorney-general against individuals for breaches of the revenue-laws. Those persons, when found guilty, were brought up for judgment to the court of King's-bench, and much time was taken up in passing sentence on them. He could see no reason why sentence could not be passed at the assizes, instead of dragging individuals, frequently for petty offences, from the most remote parts of the country, to receive sentence here. Two remarkable cases were fresh in his memory; in one of them a poor woman walked up with a child in her arms from the West of England, to receive sentence for some trifling offence against the revenue laws. When the poor woman came into court, the feeling of compassion was universal. Mr. Justice Bailey—than whom a more humane and learned man did not exist—then emphatically addressed the attorney-general, "Mr Attorney-general, do you never proceed in these cases by indictment?" In the last Michaelmas term, also, a man walked up from the borders of Scotland to receive judgment, on account of a petty squabble with an excise officer. He did not mean to cast any reflection on the office of attorney-general, and he was ready to admit that the learned gentleman performed his duties with discretion and moderation; but, in his opinion, the powers with which an attorney-general was vested were almost too extensive to be intrusted to any man, and ought to be watched by parliament with peculiar jealousy. They must all recollect the treatment which sir Walter Raleigh received from an attorney-general. Thank God, those times were past; but still they ought never to lose sight of this extraordinary power. He hoped the learned gentleman would accede to his proposition—namely, to allow the judge on the circuit to pass sentence on individuals against whom criminal informations had been filed, instead of causing them to be dragged up to town for that purpose. This would materially lessen the public expense. When he saw in the miscellaneous estimate, a charge of 40,000*l.* for law expenses, he could not help submitting to the House whether it was not a subject that demanded their serious consideration.

Mr. *Denman* felt the strongest objections to the measure now proposed. In the first instance it was to have been permanent, but now, he understood, it was to be temporary. In either point of view it was objectionable. If it were permanent, it would effect a permanent alteration in the court of King's-bench, and if temporary, it would produce one of the greatest evils that could be found in a court of justice—a temporary and experimental course of judicature. Why should such a measure pass? Was the King's-bench the only court in Westminster-hall to which causes should be sent? If so, then the twelve judges should belong to that court. But if there were two other courts, sitting almost in idleness, he thought it would show more good sense to alter their situation, rather than to remodel that court, in which justice was so perfectly administered, as to create the very arrear that was objected to. That arrear, he contended, was not an evil for which the court was answerable. It was a circumstance caused by the popularity of the court. One court would be perhaps capriciously what might be termed a fashionable court; to it the suitors would resort, and there would be found the arrear. If, however, instead of making the two other courts act, they erected a third, perhaps it would be found that they had only added another to the idle courts already existing, while the King's-bench still remained encumbered with a vast mass of business. By this new plan more labour was to be thrown on the puisne judges, and he thought it was fair for them to know whether they were to receive farther remuneration. The loading the judges with more business was of itself a great evil, because their minds, like the minds of other men, should be allowed time for relaxation, and even for observation. It was too much to expect that they could be always drawing on the old stock, without ever attempting to replenish the reservoir. They had voluntarily devoted several weeks in the course of the year to their legal duties, which they had not in former times been accustomed to do. He thought they had acted wrong in so doing, because they thus increased the arrear by inviting that accession of business which now overloaded the court. If, however, a suitor thought fit to go into a court in which there was a great arrear of business, he must submit to the common lot of mankind, and content himself with the feeling that he would be heard in his turn, on the principle of "first come, first served." The two clauses least effective in the bill he had proposed were introduced into this bill, while the really necessary and beneficial changes were rejected. He had proposed that, instead of interrupting the business of the court, while indictments, perhaps for sedition, perhaps for blasphemy, should be read, the parties should be sent to plead and to hear the indictments read in the bail-court. To this he could still see no objection. He had also suggested that sentences should be passed at assizes. This could not be done in all cases, but there were cases in which it was imperatively called for. The present course of proceeding was the grossest system of jobbing in the Crown courts. A party had been convicted at the assizes, and afterwards brought up to the King's-bench, perhaps from Bury, perhaps from Cornwall, perhaps from Lancaster, to receive judgment. What judgment? A judgment fixed often by act of parliament, and beyond the discretion of the court. All this was done for the purpose of increasing the expense, and thus increasing the punishment appointed by the law, which might not perhaps be more than imprisonment for three months. There appeared to be no foundation for the assertion that the number of causes had increased, as appeared by a comparison of the numbers in the corresponding terms of this year and 1810. There was, in fact, a diminution of more than 20 in each term. It had been said that it was only a choice of evils; but he would rather bear present evils, which were not of our own seeking, than create evils by experimental legislation. The court of exchequer was shut against causes by its peculiar attornies, and the Court of Common Pleas by its peculiar barristers; these barriers might be removed if the increase of causes required it. The analogy with the Vice-Chancery Court did not hold. The effect of that measure, as he understood, was, to withdraw the lord-chancellor from Chancery, and to transfer the business to the vice-chancellor. Besides, in Chancery, where the papers were all read afterwards by the judge, it was immaterial in what order the counsel might speak; but before a jury, a younger counsel, however able, and however destined for future eminence, would not be able to supply his leader's place. As a proof that justice was not much delayed in this country, he mentioned, that a person had been tried at the Old Bailey for an offence committed in August last, and one of the witnesses charged with perjury at that trial, had been tried upon that charge more than a month ago; so that this succession of offences were tried at no greater distance from the time of committing the first offence than from August to May. Upon all the considerations, he had stated, he should oppose this bill.

Mr. *Nolan* observed, that as the object and tendency of this measure was to facilitate the administration of justice, the generality of the gentlemen of the law would be decided advocates for its adoption, whether it interfered with their own individual interests or not. He contended that this was only a temporary relaxation of the duties of the chief justice. He did not consider that by its adoption an alteration would be made in the constitution of the court of exchequer.

The question being put, That the Speaker do now leave the Chair, the House divided, Ayes, 18; Noes, 8. As there were not 40 members present, an adjournment of course took place.

HOUSE OF LORDS.

Wednesday, June 21.

Mutiny Bill.] Earl *Grosvenor* rose, on the order of the day for the third reading of the Mutiny bill. Before he made the motion of which he had given notice, for a reduction of the present number of the army, he thought it necessary to say a few words; for he was by no means satisfied as to the propriety of the late increase, by any thing which had been stated in its defence. Their lordships ought to be well convinced of the necessity of maintaining such a force as that proposed by the present bill before they agreed to vote it. When, however, he considered that, among the other reasons for objecting to the measure, the matter of discontent in the army itself would be diminished by a reduction he could feel little hesitation in bringing forward the motion he was about to make. He should not enter into any discussion of the reports which were circulated on the cause of the discontents. He would only say, that he could not suppose it true that the discontents which had broken out among a part of the military were owing to their not receiving an extra allowance, which it had been the practice to give them, not in war, but in peace. That such a thing should have been done without the sanction of parliament, or even that any allowance at all should be given for such a purpose as that alluded to was said to have been granted, appeared to him very extraordinary. He could rather suppose that a case of discontent might have arisen from the troops usually quartered in the metropolis being called upon to perform more than their ordinary duty. But when he considered the enormous amount of the present army, he could not but see how easily this cause might have been avoided. When there were so many other corps which might be employed on any particular service, instead of the guards, there could be no difficulty in removing this difficulty. In despotic countries, such disturbances in a military force would be attended by very serious consequences; but, to whatever extent they might have gone, they occasioned no alarm to his mind. When he considered that this was a country possessing a free government, and that the people were sincerely attached to the constitution, whatever alarm other governments might feel under such circumstances, he saw no ground for any serious apprehension here. He was certainly the less disposed to alarm, because, in his mind he never had separated the soldier from the citizen, though he was sorry to say that, from many things which had occurred it appeared to be the wish of some persons to dissolve that connexion. But, to proceed to the more immediate subject of his motion; their lordships were aware that three years ago it was determined, even by ministers themselves, that the army should be reduced to the state in which it was in 1792. Why this period was chosen instead of 1786 he did not know; the latter he thought would have afforded the most proper example, for the year 1792 was a year in which the state of Europe rendered war probable. The force at present maintained, was, however, double that of 1792, and about triple that of 1786. But three years ago, when ministers determined on this reduction, the discontents of the country were, according to their own showing greater than any that existed now. Had they not considered the discontents to be of the most serious nature, they certainly would not have proposed that iron law, the suspension of the Habeas Corpus act, which their lordships had been induced to pass. If they thought it right to reduce the military force at that time, there surely appeared nothing like discontent at present to justify an increase. It had been asserted, that every endeavour was made to reduce the expense of the army as low as possible, and yet the charge was not less than 10,000,000*l.* Every man in the service cost rather more than 100*l.* annually, which was a most enormous charge, and proved the great extravagance of the system. The force of the army was not only double what it was in 1792, but the amount of the expenditure was, in several important articles greater at present than it had been in the third year of the war. The increase which had been made in the army led to an increase in the number of barracks—a measure which he had always looked at with jealousy. But if it were necessary to increase the barracks, they surely need not be augmented to the great extent to which they were carried. Nearly one hundred had been built in different parts of the country. He must confess, however, that he believed it was scarcely possible for government to resist many of the applications made to them for building barracks, though he knew of instances in which they were made on most ludicrous grounds. The applications he knew were chiefly made by country magistrates, who were clergymen, and in general very respectable persons, but misled by the erroneous views they entertained. Most of these magistrates were what was considered extremely loyal; by which was meant exceedingly attached to the system of the present ministers. They regarded every man who differed from their political opinions, as disaffected and seditious. If the people around them thought some reform necessary, if they ventured, for instance, to say that the borough of Grampound was corrupt and ought to be disfranchised —these magistrates called them radicals, and were often led to exercise an unnecessary severity. It was not surprising that the people then became irritated. They called the magistrates tyrants, and the magistrates, observing the discontents they had provoked, asked for the aid of a military force. It ought to be the study of government to remove the cause of discontents, instead of increasing the military force, which could only serve to increase them. Whenever there was much dissatisfaction, great misrule had in general given cause for it. The present amount of the army was between 91,000 and 92,000. He should propose to take from it 11,910, which would leave it 80,000. When their lordships recollected the number of the militia and yeomanry kept on foot, they could not but admit that the standing army, so reduced, would be sufficient. He concluded by moving an amendment, which had for its object to reduce the army 11,910 men.

The Earl of *Liverpool* said, that with regard to the circumstances to which the noble earl had alluded in the commencement of his speech, he must observe, that the reports respecting those circumstances had been grossly exaggerated. He had also the satisfaction to state, that any dissatisfaction which prevailed had now completely subsided; and he could assure the noble earl that it was not to be ascribed to any of the causes to which he had alluded. At the same time, he could not but add, that he thought the noble earl would have acted more prudently if, considering the state in which the affair now was, he had refrained from saying any thing on the subject. With regard to the noble earl's amendment, he felt himself bound to oppose it, though he must observe that it was with as much regret as could be felt by any man that he agreed to recommend the insertion of the words in his majesty's speech at the opening of the session relative to the increase of the military force. No man could have been more indisposed than he was to make any addition to the army, until he was convinced that the increase was necessary to the internal peace and good order of the country. When the state of the country in the end of the last and the beginning of the present year was impartially considered, it was impossible not to admit the necessity of the augmentation.

The amendment was negatived, and the bill passed.

HOUSE OF COMMONS.

Wednesday, June 21.

THE QUEEN.] Mr. *Wilberforce* having been called on by the Speaker, an interval of several minutes elapsed before he made his appearance. When he at length entered the House, he rose and observed, that he should certainly have persevered in bringing the subject of his promised motion before the House that day, but for some cause which it was not in his power to avoid. The fact was, that since the House separated last night, circumstances had taken place which rendered it necessary for him to vary the motion which he had intended to make. He must add, that he made his present application with the most sincere sorrow; but, considering this as perhaps the only means now left of avoiding that fatal inquiry which presented so many lamentable consequences—he would say, so many horrors—to his mind, he could not but hope that the House would excuse him for asking his noble friend to give him another day for the bringing on of his motion—[Loud cries of "No, no."] He was sure that, how great soever might be the wish of any gentleman—and a very natural one it was—that this important question should no longer remain in suspense, he should hold himself in contempt, if he could even suppose himself to be actuated by temporary motives in a case which so deeply involved the honour of the Crown and the interests of the people. His motives, however, were of so serious a character as to justify the application he now made.

Lord *Castlereagh* deeply regretted that his hon. friend should have been induced by any motives—which, although he had not explained them, and though they were not before the House, he could well conceive the hon. gentleman had good reasons for not explaining—to call on him to postpone that motion which, in point of form, would not take precedence of his hon. friend's. For himself, he should wish the hon. gentleman to bring his motion on to-morrow, rather than any thing should prevent its coming on conformably to his own wishes. Certainly he did feel, without pressing any unfair inquiry into his hon. friend's motives for this delay, that on public and private grounds he might give him credit for the gravity of those motives, and that the House might accede to his request upon that principle of accommodation which parliament had always recognised as the most desirable to be acted on in such cases. Under these circumstances he should think that he departed from those principles which had actuated the conduct of his majesty's government, if he pressed the hon. gentleman to go farther into an explanation of his motives in demanding this delay, or if he did not add that he felt satisfied that every reasonable expedient, every possible measure had been resorted to by the hon. gentleman in order to obviate the necessity for such an application: but he was quite sure, while he was thus ready to admit that application, that the hon. gentleman must be aware of the great public evil which must result from any delay (beyond one of this kind which had been solicited upon public grounds), in consequence of the tendency which the many difficulties of this peculiar case had to agitate the public mind. Under all the many difficulties which the circumstances of the case had thrown around it, it was yet most imperative that it should now be proceeded in. He submitted to the request of his hon. friend, but he must conjure and entreat him not to be induced, by any consideration, to delay his motion beyond to-morrow, for he was sure that the evils of delay were incalculable. If the House were not already aware of its disadvantages, he could assure the hon. gentleman such a call for inquiry existed upon all sides, that delay beyond to-morrow would be more likely to be injurious than beneficial in its results.

Mr. *Wilberforce* begged leave to say, in answer to what had fallen from the noble lord, who had given him credit for the propriety of his motives, that he would explain them fully to-morrow.

Lord *Castlereagh* felt assured, that his hon. friend could not suppose, that he wished him to explain them at present, or that he did not at all times give him entire credit for the soundness of his motives.

Lord *A. Hamilton* begged to ask the hon. gentleman whether he had any objection now to state what would be the grounds of the motion postponed until to-morrow. He did not ask this question from any idle curiosity, but because he wished also to submit a motion upon the subject, and therefore was desirous to ascertain whether he should bring it forward as an amendment upon that of the hon. gentleman, or in what other way.

Mr. *Wilberforce* had that respect for the character of the noble lord which would induce him at all times to give him every satisfaction in his power; and if he were willing to converse with him in private upon the subject, he should have no objection to give him the explanation, provided no other use were made of it. From what he had stated, the House would suppose that there might be circumstances which would vary his motion in some shape. He would add, that what had passed in the course of yesterday, had rather confirmed than altered his determination not to make any disclosure of the grounds of his motion.

Mr. *Tierney* owned that he had very great difficulty in agreeing to this application from the hon. member for Bramber; because, with as much anxiety as any other gentleman could possibly feel, that any reasonable delay should be granted, he thought that their present mode of proceeding was incompatible with the dignity of the House. They were placed in a situation perfectly unexampled. They had received a message from the Crown, accompanied by papers which were laid upon the table; they had answered that message by saying that they would take it into immediate consideration. In consequence of a motion of his hon. friend, an adjournment was agreed to; negociations in the meanwhile were entered into, which continued nearly a fortnight. At the end of that time the noble lord brought down the result of them; and now his hon. friend begged another day in order to see what he could do. When were these adjournments to stop? Other hon. gentlemen might have similar motions to propose, and a noble lord had just given notice that it was his intention to submit one to-morrow connected with this subject. In the meanwhile the king's message was allowed to sleep, in a manner which was not very respectful to the Crown. Whether the noble lord (Castlereagh) himself would or would not to-morrow be disposed to concede a farther adjournment, if called for, he (Mr. Tierney) would then take the sense of the House on the propriety of any farther adjournment beyond that day.

Lord *A. Hamilton* said, he intended to-morrow to submit a motion for the production of the original order in council under which her majesty's name was erased from the liturgy.

Mr. *Brougham* said, that if he rightly understood the hon. member for Bramber, he had contended, either that the House must admit his motion, or, as the necessary consequence of its rejection, must proceed with the inquiry. If it were so, he did think that one single day's delay could not be denied to his hon. friend; but then it would be clearly understood, that if that motion failed, the House would immediately proceed to the inquiry. Under all these circumstances, he would cheerfully accede to the proposed delay. He did hope and trust, however, that no circumstances would prevent his hon. friend from proceeding to-morrow; for he could assure the House that whatever anxiety was manifested on the part of his majesty's ministers, that no possible protraction of this business should occur: her majesty and her legal advisers were, on their part, equally anxious that no delay should be interposed.

Mr. *Scarlett* understood the hon. gentleman's motion to be one branch of an alternative, of which the other branch was an inquiry; but he could not agree with his hon. and learned friend that if that motion were rejected, no alternative but that inquiry was left; for, whatever might be the judgment of the House upon the case before them, he should still think that that sort of inquiry which had been proposed by ministers, and which was the only measure yet submitted to parliament by them, was one which the House never could be induced to adopt. It was so unconstitutional, that he conceived the House never would enter upon it.

Mr. *Brougham* said, that his hon. and learned friend seemed to forget that he (Mr. B.) had been stating, not his own sentiment as to any alternative between the motion of the hon. member for Bramber and an inquiry, but what was his understanding of the views entertained by that hon. gentleman. Did it follow that, because he stated such to be his notion upon the subject, he therefore necessarily concurred in those views? It was a motion which, for any thing his hon. and learned friend knew, he (Mr. B.) might mean to oppose, and it was one which, in effect, he did last night give notice of his intention to oppose [Hear!].

Here the conversation was dropped; and the order of the day for resuming the adjourned debate on the king's message was discharged, and a new order made for to-morrow.

HOUSE OF LORDS.

Thursday, June 22.

Secret Committee on the Papers Relating to the Conduct of the Queen.] The Earl of *Liverpool* assured their lordships that it was with extreme reluctance he now rose to propose any farther adjournment of the order for the meeting of the secret committee to which the consideration of the papers connected with his majesty's message was referred, and which at present stood fixed for to-morrow; but circumstances had come to his knowledge which led him still to entertain hopes that some adjustment might take place which would render any investigation of the papers laid on the table unnecessary. Under these circumstances, he should not act consistently with the course he had hitherto pursued in this important and delicate business, if he did not propose to their lordships a farther adjournment of the committee.—The day for which he should propose the meeting was Tuesday next. He felt most strongly all the objections which must arise in the minds of their lordships to any unnecessary delay. He trusted, however, they would be satisfied that nothing but the most urgent considerations could have induced him to propose this adjournment; and he had only to add, that if the adjustment did not take place before Monday, he should then feel it to be his duty to propose that the committee should proceed to the investigation for which it was appointed.

Earl *Grey* could not help expressing his astonishment that such a proposal should be made; but as the noble earl had stated that, from circumstances which had come to his knowledge, he entertained hopes than an adjustment would take place, it was impossible for him to offer any opposition to the motion for postponing the committee. At the same time, it was equally impossible for him to refrain from calling their lordships' attention to the extraordinary and disgraceful situation in which the House was placed, in consequence of the conduct of the noble lord and his colleagues. He had already stated that situation to be disgraceful, and upon reflection he did not think the word too strong. In this situation their lordships were placed in consequence of his majesty's ministers not having had the courage and the wisdom to make up their minds on the advice they ought to give to the Crown, and to act on that advice when given. In this case it was their duty to have done one of two things. It was for them to consider whether they had grounds for proceeding against her majesty or not; and having made up their minds on that question, it was their duty to act according to the decision. If they thought there were no grounds for proceeding, or if considerations of a public nature induced them not to bring forward any measure, it was their duty to declare that opinion, and act upon it. If, on the contrary, they thought there were circumstances which rendered it improper that her majesty the Queen should stand at the head of female society in this country, then they ought not to have proposed a secret committee, but ought to have come manfully and openly forward with a public measure: then, whatever shame might belong to the case would have fallen upon the accusers, had their charges been false; upon her majesty had they proved to be true. This was the plain duty of the ministers; but from this they had shrunk, and had endeavoured to shift from themselves all responsibility; and in doing so, had involved themselves in irretrievable disgrace. But the evil of the case did not stop here; the honour of the Crown, and the dignity of the House were deeply implicated by the proceedings. When he came to the consideration of the question, he should state in detail the grounds on which he objected to the course which had been followed; but, though he did not oppose the motion, he could not refrain from feeling shame and indignation at the situation in which the House stood. At first, ministers had proceeded with the greatest expedition. They seemed to think that the slightest delay would be dangerous; they sent down a message calculated almost to "frighten the isle from its propriety." They hastened to the appointment of a secret committee. Then, not in consequence of any thing that had passed in that House, but because something had been done in another place, repeated delays had been interposed.—Their lordships, however, were left in ignorance of the cause of the postponements—

"Adjournment, and adjournment, and adjournment,
"Creeps in this petty pace from day to day,
"To the last syllable of recorded time!"

Thus, week after week, their lordships had been told the last period was come; and now again another final period was fixed. Their lordships had first been desired to adjourn the proceeding they had voted, to give opportunity for a negotiation.—The papers which contained the history of that negotiation were laid on the table, and then they were desired to adjourn again in consequence of a new expectation of an adjustment. Nothing had been said as to the bearing the papers laid on the table were expected to have on the question of the appointment of the committee. In this state of things, their lordships' dignity had suffered; but, though he felt for the situation in which the House was placed, he should not oppose the motion of the noble lord.

The Earl of *Liverpool* was confident that their lordships would feel the difficulty of the situation in which he stood. It was impossible for him, in this stage of the proceeding, to explain the grounds of his conduct, and what were the reasons which had induced him, and those who acted with him, to tender to the sovereign the advice they had thought it their duty to give; but he trusted that, in the interval before the time arrived when he should be at liberty to state the reasons of the course which had been pursued, their lordships would give him credit for not having shrunk from offering any advice that appeared necessary, either for the honour of the Crown, the advantage of the country, or the particular interests of the case. He assured their lordships that, were this the last day of his existence, he could lay his hand on his heart and declare, that in no business—and, since the commencement of his public life, none had been to him so personally painful—had his majesty's ministers ever given any advice to the Crown in which he was so fully convinced that they had acted in the way which was most consistent with their duty to their sovereign and their country. If he abstained from stating the reasons which had governed the conduct of his majesty's advisers, it was because it was impossible at that time to enter into them with propriety. But he denied that any imputation could, in the mean time, be cast upon them. Neither would he admit that any disgrace had fallen upon the House. It was certainly true, that sealed papers had been referred to a secret committee, and that the meeting of the committee which their lordships had appointed had been postponed from time to time. But upon what ground had this been done? Upon the proposition of the advisers of the Crown, who were the only persons acquainted with the sealed papers, and therefore the only persons as yet qualified to give an opinion upon any question connected with them. In any case in which sealed papers were laid before parliament, it was always competent to ministers, who were the only depositories of the secrets such papers contained, to come and say that delay was adviseable. In such a case, how could any disgrace attach to their lordships for agreeing to a delay, of the propriety or impropriety of which they could not judge? But, according to the reasoning of the noble earl, the disgrace not only attached to the House but to ministers. This was said when the grounds on which his majesty's advisers had acted were not known. He was most anxious for the arrival of that period in which he could give every explanation that might be desired: until then, he did not ask from the noble lord that justice which he knew he would not accord to him, but he expected it from the House.

Earl *Spencer* said, he would not object to this motion for the further postponement of the inquiry, but had he been present in the House or in the country when the proposition was first made for the appointment of a secret committee, he should have done all in his power to dissuade their lordships from adopting so unwise and unsafe a measure. He should now of course bow to the decision of the House, yet he might be permitted to express his opinion upon the subject. The measure being in his mind originally wrong, he could not therefore oppose the postponement of it. The measure was wrong, because it bound the House to decide upon a question in their legislative capacity, which they might have to determine subsequently in their judicial capacity. This point, as he collected from the ordinary sources of intelligence, had been strongly urged on the first night, but their lordships had decided against it. Circumstances, however, had since occurred, which pretty clearly proved that more wisdom would have been displayed, and the dignity of the House would have been better observed, had that argument been successful. He should now say no more upon this point, except to express his sincere hope that the secret committee might never sit.

Lord *Ellenborough* regarded the present proposition as standing on the same grounds as all the former motions for postponement; namely, that there existed some hope of terminating by negotiation the differences which were to have been referred to a committee. He could not look upon that House as covered with disgrace by the adjournments. It was not the other House, as had been argued, that had caused these adjournments. The same cause which operated to induce the other House to adjourn operated on their lordships also. The only distinction was, that the two Houses were in a different situation as to the stage of proceeding in which delay had been suggested. Their lordships had appointed the committee, and the other House had not. When it was first proposed to adjourn the question, he had ventured to predict, that unless a short period was finally fixed, there could be no hope of an arrangement taking place; and the apprehensions he then expressed he was sorry to find were realized. From the papers on the table, he was convinced there was no hope of adjustment without the assistance of parliament. It was only through the immediate interference of parliament that any satisfactory result could be expected.

Lord *Holland* observed, that the noble lord who had just spoken concurred with the noble lord opposite in the propriety of delay. The only reason assigned for postponement was the expectation of an adjustment. But the noble lord who had just sat down was of opinion there could be no settlement without the interference of parliament; and he was sure no reasons more strong could be urged, than those that that noble lord had given against the very motion he supported. He was also persuaded that the dignity of the House had not suffered by the proceedings which had taken place, because the same causes had operated on both Houses to induce them to postpone the proceedings. There was certainly something ingenious in this argument, but it was rather singular that those causes had always operated in that House precisely the day after they had operated in the other. Their lordships were now deliberating on the propriety of adjourning the committee: of course, this question came upon them quite unexpectedly; for yesterday, when the noble lord over the way was asked whether there was any important question on which the House was summoned for this day, he answered that the marine mutiny bill was before them: so it was on account of that bill their lordships had met to day! It was certainly very odd, that those causes which the noble lord alleged operated equally on both Houses, should always commence to operate in that House, just twenty four hours after the operation had taken effect in the House of Commons. He did not mean to oppose the motion; but he must still say, that the more proper and manly course would have been to have adopted the motion of the noble baron opposite (Kenyon), and have suspended the appointment of the committee. The noble earl on the other side had appealed to the difficulty of his situation as an excuse for not stating the motives of his conduct; but though that might be a good reason for his not openly explaining the grounds on which he had acted, it was too much to desire the House, on that account, to act in a way in which their proceedings could neither be satisfactory to themselves nor to the public. His objection was, that no reason had been assigned to justify the House in the course it had adopted. And in whom had their lordships placed such confidence? In men who constantly shifted from their own shoulders all responsibility. The noble earl had told them, that it was usual to refer papers transmitted by the Crown to a secret committee: but he forgot to mention, that it was also usual to state the bearing and effect of such papers, and the view which ministers had of any measure which they thought ought to be adopted upon them. Had they done this in the present case, they would have been pledged to some distinct course, and the Crown and the country would have had the benefit of their decision. Every step already taken must have been adopted on their recommendation. They had advised the Crown to an act, the legality of which he doubted; namely, the omission of her majesty's name from the liturgy. They had advised every measure, and surely ought before now to have made up their minds as to the course of proceeding which should be adopted.

Lord *Erskine* said:—My lords, after what has passed, I feel it necessary to trouble your lordships with a very few words. I have already stated upon a former occasion, my reasons for voting for a secret committee, and to those reasons I still adhere. I certainly gave that vote under the full persuasion, that we could not be called upon in our judicial character to adjudicate any charges against the queen, otherwise I should not have given that vote, and I still consider it to be impossible that any charge can be brought against the queen, which can become the subject of investigation before us in our judicial character. To know the contents of the green bag is impossible, even to the second sight of a Scotsman, but I cannot bring myself to believe, that the ministers of the Crown would place this House in the situation of prejudging questions, that might afterwards come before them in a judicial character, as such a course would be most inconvenient to the ends of justice. I was told, when in a distant part of the country—I found that her majesty's name was excluded from the liturgy, that that act was resorted to in consequence of the government being in possession of charges against the queen, with regard to her conduct, there being no doubt that that omission of her majesty's name in the liturgy was derogatory to her character. I was, therefore, prepared for charges being made against her majesty, either with a view of founding on them a bill of divorce or of degradation, or whatever other object; and, as I have already stated, I considered the most advisable course to be, under all the circumstances, to refer the papers containing those charges to a secret committee. But when I see that the only members of this House who are in possession of the contents of these papers, namely, his majesty's ministers, are ready to enter into negotiation as to all the matters contained in them, for the purpose of bringing about an adjustment of the dispute, I may well be allowed to doubt whether the charges against the queen are of that grave and serious nature or supported by that evidence, which we were, in the first instance, taught to believe—whether the ministers who brought forward these charges, are themselves satisfied as to the alleged character of them, and if that be the case, whether a secret committee is at all necessary for their investigation, it being perfectly competent to the ministers of the Crown to bring forward whatever measure they may think the circumstances of the case either render necessary or expedient.

The Earl of *Darnley* remarked, that although the noble lord (Ellenborough) had avowed his belief that negotiation could not be successful unless conducted under the control of parliament, he had with some degree of inconsistency voted for the further adjournment of the inquiry. It was more consistent that they who thought the green bag should never be opened, should support such a motion. He hoped sincerely that the question of the queen's guilt or innocence would never be brought forward, but he would not at the present moment express any opinion upon it. As little was he prepared to pass a censure upon ministers upon such points as had not been fully explained to the House, but he might express his opinion upon certain notorious facts. He could not therefore avoid remarking, that so far as these facts appeared, the conduct of ministers seemed to have been a series of false moves, in which they were constantly in check. He saw not how they could get out, but if they persevered they must lose the game. By having her name erased from the liturgy her majesty was at once condemned, without being allowed the chance of a defence. This was a proceeding under which no woman of feeling or spirit (and her majesty did not appear to be deficient in either) could sit down contented. The noble earl recapitulated the measures pursued against the queen, and concluded by expressing his fears that the conduct of the House would not, in the opinion of the public, appear to be free from reproach.

The motion was agreed to.

HOUSE OF COMMONS.

Thursday, June 22.

Motion for adjusting the Differences existing in the Royal Family.] Mr. *Wilberforce* rose, to make his promised motion. He said, he could assure the House, that notwithstanding he could not plead that he had been urged into this business against his wishes, he was fully sensible of the great task which he had undertaken. So aware, indeed, was he of the extreme importance of that task, that were it not from considerations of indispensable duty, he should almost be induced to shrink from any further proceeding. He was cheered, however, by the hope, that he should continue to receive that kind support and indulgence from the House which he had already experienced; and still more by the persuasion that they had all one common feeling—that they were all actuated by one universal desire, if possible, to bring the question in contemplation to such an issue as might avert the necessity for that fatal inquiry which he very much feared must follow the rejection of the motion which he was about to make. It was this last consideration which operated most powerfully on his own mind and feelings—it was this last consideration which he wished the House more particularly to bear in mind. He trusted, therefore, that if any deficiency should appear in his argument, or in his statement, that that deficiency might not lead the House to any conclusion other than that of preventing the fatal inquiry, which no man who thought on the subject as he did, could contemplate without anticipating from it the most serious evils, whether considered with reference to the interests of the country, or to the dignity of the Crown. He must also claim the indulgent forbearance of the House, if, in the course of his observations, any expression should drop from him which might appear inconsistent with that respect which constitutionally, and he would add, as a Christian, he bore towards the illustrious individuals more immediately concerned in this question. If there had been more time for him to array his words, or if the subject were not one in which any man was liable to be operated upon by the warmth of his feelings, he should be less solicitous on that head. As it was, he trusted that he should not say any thing which would bear an improper construction. If, however, that should unfortunately happen, he hoped it would be deemed unintentional, and that it would not be ascribed to any disposition to speak slightingly of individuals towards whom, as he had already observed, he necessarily cherished sentiments of the highest respect.

There was another preliminary observation which he begged to be permitted to make. The House must remember the peculiarity of the circumstances under which they were called upon to act, and the extraordinary nature of the case of which they had now to dispose. Undoubtedly it must be the wish of all, that whatever measures might be adopted, should be adopted with strict reference to the constitution and forms of parliament; yet, under the singular circumstances in which the question came before the House, it might be found impossible to adhere strictly and theoretically to those constitutional principles which it was so desirable to uphold, and the value of which no person could be more ready than himself to acknowledge and recognize. He could not help borrowing, from the Papers which had been laid on the table by the noble lord communicating the conduct and particulars of the recent negotiations, an idea, which, in his opinion, did the greatest credit to the noble personages who suggested it to the hon. and learned gentlemen, her majesty's legal advisers; and he earnestly hoped that the House, in the prosecution of the present discussion, would proceed in a similar temper and spirit. He alluded to the understanding expressed early in the first conference, and which he believed would be found in the sixth page of the printed papers; in the following words: "That the persons named to frame an arrangement, although representing different interests, should consider themselves, in discharge of this duty, not as opposed to each other, but as acting in concert with a view to frame an arrangement, in compliance with the understood wish of parliament, which may avert the necessity of a public inquiry into the information laid before the two Houses." It was with that feeling—it was in that spirit, that he implored the House to approach the present discussion. He implored hon. members, not to consider themselves as representing different parties—not as supporters of the king, or as supporters of the queen—not as maintaining one interest, or another interest, but as engaged for the benefit of all. If they wished to discharge with fidelity the duty that had devolved upon them—if they wished to look back themselves with pleasure, and to be able to relate to their constituents with satisfaction the occurrences of that evening, they would proceed in the spirit so happily recommended in the admirable passage which he had just read; they would "consider themselves, not as opposed to each other, but as acting in concert with a view to frame an arrangement which might avert the necessity of a public inquiry into the information laid before the two Houses of Parliament."

Having premised so much, he now came to the consideration of the way in which the House had been brought into the situation in which it was then placed. Immediately upon the queen's arrival in this country, certain papers were laid by his majesty's government on the table of the House, the exact nature of which was yet happily unknown, but which were said to contain charges against her majesty, into which parliament were called upon to inquire. On the day when his (Mr. Wilberforce's) judgment, no less than his feelings, prompted him to request that the House would allow some interval before it commenced the inquiry—that it would pause in order to give an opportunity, if possible, to avert the fatal effects which might result from the disclosure, he felt that in making the motion which he did make, he only anticipated by a second the universal disposition of the House. The consequence of the manifestation of that disposition was, that the required delay was granted. Since that period a communication had been made to the House of the substance of the conferences and negotiations that, in consequence of the proceeding of parliament, had taken place between his majesty's ministers and the law officers of her majesty. He must say, in strict justice to the individuals who had been engaged in those important conferences and negotiations, that it did not appear in the documents in which they were described, that the question had been in any degree angrily or petulantly considered; but, on the contrary, it was evident that the discussions had been conducted with the greatest temper, and with the moderation which must naturally be felt by those who had a common interest in such an adjustment of the existing differences, as might not be injurious to the credit and honour of any of the parties involved in them. He owned that his own hopes of a favourable result had been considerably raised by the appointment of the individuals who were appointed to carry on those discussions. He could not but feel an almost confident hope, that means would be found to avert the threatened evil. He did so, the more especially on this account—because he indulged a hope that that would take place which had actually occurred. He indulged a hope, that if the persons engaged in the negotiation should not exactly agree, they might nevertheless approach so nearly to an agreement, as to enable the House of Commons to do away the remaining minor differences, and perhaps to heal the breach, which, if not entirely closed, had been diminished and rendered less difficult of cure by the negotiation.

He confessed that he could not but think that such was the state of the affair at the present moment. It was indeed perfectly natural that it should be so. It was not to be expected that the individuals who acted as agents for the parties, should be expected to go so far as that House might be disposed to do. It was not to be expected that those individuals would make concessions that might be liable to misconstructions, on the part of the public, injurious to the interests of their principals. But that House might adopt measures, or recommend their adoption, without being exposed to any misconstruction. It was perfectly natural, therefore, that the House might be expected to go further in the way of concession than the individuals engaged in the negotiation could venture to proceed. He was sorry, however, to say, that at length the misfortune—and a very great misfortune he certainly considered it—was proclaimed, that the conferences had closed without any amicable arrangement. This was undoubtedly a very great misfortune. But, on the perusal of the documents which had been laid on the table, he must fairly say, that so far were they from having extinguished his hope of an ultimate accommodation, that they had increased his expectation that an event so desirable might be accomplished, provided the House would only coolly and calmly weigh all the circumstances of the case; and above all, provided they would reflect in what a situation things would be placed if the opposite alternative to his motion were adopted, and if the menaced inquiry were commenced and prosecuted to a termination.

He had considered a great deal in what way to proceed in order if possible to put an end to any such apprehension. There appeared to him two courses of proceeding, one or the other of which ought to be adopted. The first was one to which he however found that considerable difficulties were opposed. The second course was that which he had now to submit to the House. The motion which he had determined to submit to the House was framed in order, if possible, to put an end to the unhappy differences which prevailed between the two principal members of the royal family. In the first instance he had been very strongly induced to adopt the expedient of endeavouring to prevail upon that House to agree to an humble address or addresses which might have in view the appointment of something like an arbitration of those differences, and of effecting an amicable arrangement between the two illustrious parties. Upon very mature reflection, however, there appeared such extreme and insuperable difficulties, both constitutional and others, in executing that purpose, and so much uncertainty with reference to its ultimate effect even if it should be executed —that he found himself compelled to abandon that way of proceeding, as not being at least so much to be approved of as that which he would now venture to propose to them. He confessed, however, that the objection which was urged in the papers which had been presented to the House against arbitration, when it had been proposed by his honourable and learned friends the law-officers of the queen, did not appear to him to be really an insuperable obstacle; for he thought that though in ordinary cases it might not be proper for the king's ministers to submit his majesty's rights to arbitration, yet it would be a very different thing for them to do so when they had received the instructions of the House of Commons to that effect. It appeared to him, that the objection, whether a valid one or not in the former, would not be so in the latter case. On the whole, however, he had considered the adoption of this mode of proceeding to be fraught with so many difficulties, of an extreme and perhaps insuperable nature in themselves, and that in its issue there was so much uncertainty as to the result when it should be carried into execution, that he felt it better to adopt another mode of proceeding.

He would frankly confess that he had also in contemplation at the time another course, and that was an address to her majesty; requesting she would have the goodness to wave, to a certain extent, the points of difference, but the precise nature of his proposition, if the House would have the goodness to allow him previously to state the objects he had in view, would more fully appear from the wording of the motion which he held in his hand. He had been induced to adopt this measure from several considerations; but he ought, perhaps, to take this opportunity of sincerely begging pardon of the Chair and of the House, for having yesterday most unwillingly trespassed on their indulgence by requesting the delay of a day. The necessity for that delay had been occasioned by his receiving yesterday a message from her majesty which required his utmost and immediate consideration. Her majesty's message was of a nature to call for some variation in his proceeding; and also required that he should very gravely reconsider all the modes of proceeding to be adopted, and the objects which he had in view. He wished that he could say (for he must here be candid), that any hope had been held out to him of her majesty's acquiescence in any of those objects. But it was due to himself to state, that that might have arisen from his not having had any opportunity of explaining to her majesty what objects he really had in view. Her majesty must have received any information about them in that uncertain way in which persons must sometimes receive information—on general report—and being thus uncertain, it had been possibly erroneous information. The course, however, that he had finally determined on, was that of moving the resolution he held in his hand, the object of which was, that her majesty might be prevailed upon, under all the circumstances of the case, to wave those minor differences that appeared, in a great degree, to be already done away with, and that her majesty would be content to wave what remained of those differences upon the ground and principle which he would now beg leave to explain.

Honourable gentlemen must remember that the two material points of difference between the illustrious parties in the conferences, the protocols of which were before them were the recognition of her majesty as queen of England, at foreign courts, and the restoration of her majesty's name to the Liturgy. It was universally acknowledged that, under all circumstances, the difficulty of conceding the first of these points to her majesty would be a very great and perhaps an insuperable one, namely, the giving to her majesty that general acknowledgment at foreign courts, which should entitle her to appear there as queen of England, while she was not recognised in that character at our court. Now, without stating those circumstances which must present themselves at once to every man's mind, it would be enough for him to appeal to that which must be notorious; the difficulty of conceding such an acknowledgment must suggest itself to every individual who had ever turned his attention to these subjects; in short, to every one who was better acquainted with the observances of court "etiquette" than he himself was. But in answer to the suggestion of this difficulty, it was at last stated, that it was not so much for her personal gratification as for her majesty's honour and dignity that the request had been made. It was said, that if any one foreign court were pointed out where her majesty should be so received, that would have the effect of showing that her majesty was recognized as queen of England. Her majesty's legal advisers inquired "whether the same objection would exist to the public introduction of her majesty at some one court, where she might fix her residence, if she waved the claim of introduction at foreign courts generally." This proposition was at first objected to, but appeared to have been afterwards, upon more mature consideration, admitted; and he would say, that it gave him very sincere pleasure to find that the king's ministers, having re-considered the proposition, assured to her majesty "every suitable respect and attention within the particular state in which she might think fit to establish her residence (the Milanese or the Roman states having been previously suggested by her majesty's law officers), but it must rest with the sovereign of such state what reception should be given to her majesty in that character." And this must of necessity be the case, as his majesty's ministers could not prescribe to any foreign prince what must be the sort of reception which he was to give to the queen; so that this point of difference might be considered as in some degree, if not entirely, got rid of.

The next difficulty was, that of the restoration of her majesty's name to the Liturgy; and although he did not, after much reflection, ascribe, perhaps, so much importance to this point, as he had done at first, yet he was far from undervaluing its weight. He could say, however, upon deliberation, that it did not strike him as affecting any religious view of the question; and he must add, that it had been a great relief to his mind, that it was divested of this consideration. No person thought more highly than he did, of the mention of her majesty's name in the Liturgy. He did think there was something truly desirable in such an introduction, and especially when it occurred in that admirable form of worship, and those unalterable forms of prayer which so eminently distinguished the Protestant religion as practised in this country; but, yet more especially as it occurred in that beautiful form of supplication where all distinctions of men in some degree were forgotten, as if it were supposed that they all appeared before their Creator under that equal and common character, a just sense of which was the best preparation for their general destiny. He held it a high honour to be in any way connected with such a form of prayer; and he was of opinion that the introduction in it of the name of any individual was the best and surest way of causing due honour to be paid to the party which enjoyed so signal a distinction. He well remembered having heard, upon a recent occasion, the head of the Protestant church himself enlarging upon the subject of these prayers with an eloquence and a feeling in which, if he could have borrowed them from that eminent prelate, he (Mr. Wilberforce) would not have failed to enforce his own observations upon the attention of the House. He believed it had been the ancient usage and common rule of the Liturgy to pray for each of the royal personages, separately naming them; this, he admitted, had been the custom. But he did not think it could be contended that her majesty was in fact omitted in the prayer; for if in the prayer the words used were, "the king and all the royal family," her majesty must be considered, he should apprehend, to be one of the royal family, and consequently to be included. He wished hon. gentlemen would be as frank in one instance as in another; as sincere in the expression of their concurrence with him, when their opinions agreed with his, as they had just been unequivocal in testifying their dissent from him in his last observation. In this hope he would ask them, whether any one of them at church had ever heard "the royal family" mentioned without thinking of the queen? He granted, at the same time, that the omission of her name might be, as it had been, very reasonably objected to, because it was a very powerful argument for the other side. It had been usual, sometimes by name and sometimes not, to express individuals in the form of prayer; for instance, when the heir presumptive of the Crown was mentioned, the name of that illustrious individual was meant to be understood.—The duke of York did not suppose that he was excluded from the Liturgy because his name was not mentioned. And he conceived that it could not be considered that her majesty was excluded from the Liturgy because her name was not mentioned. He was strengthened in this opinion from the circumstance of this point being so treated on both sides—for during the conference between the king's servants and her majesty's law advisers, the insertion of her majesty's name in the Liturgy was not urged on the ground of religious scruple, but with a view to support her honour and dignity. Before he went further, he ought to state that this question of the Liturgy was not proposed at first, it was not at all agitated until the conferences took place; then it was that this question was first brought forward. When the parties had entered into a discussion on matters of minor difficulty, after having, as they conceived, got over the strongest and most objectionable matters, then the Liturgy was mentioned. He did not mean to impute any blame any where. It was the duty of the able counsellors who were her majesty's law advisers, to urge this and every other point, though perhaps as members of parliament they would have viewed the question differently. After a conference on this head, he found the following passage in the papers;—"After further discussion on this point, it was agreed that the duke of Wellington and lord Castlereagh should report to the cabinet what had passed, and come prepared with their determination to the next conference. Her majesty's law officers then asked, whether, in the event of the above proposition not being adopted, any other proceeding could be suggested on the part of his majesty's government, which might render her majesty's residence abroad consistent with the recognition of her rights, and the vindication of her character, and they specially pointed at the official introduction of her majesty to foreign courts by the king's ministers abroad." From this passage he was justified in saying, that her majesty's anxiety to have her name inserted in the Liturgy was not from a religious scruple, but with a view to a recognition of her rights, and a vindication of her character. Her majesty's advisers, in thus pointing at her reception at foreign courts, evidently looked to that as an equivalent for the Liturgy.—Nor was this a suggestion thrown out at random, nor was it to be looked upon as a transient feeling, for it would be found by a reference to the printed papers, that her majesty's law officers proposed it a second time.

He meant to argue by these observations, that the objection was not on religious grounds; and he contended that it was not meant that her majesty should not be remembered in the prayers of her people—her name was certainly implied, although he acknowledged it was not the most respectful way. He declared that this conviction was a great relief to his mind. He was not actuated by feelings of partiality either on one side or the other on this delicate and vastly important question. He only desired most ardently to avoid the opening of that fatal Green Bag—[A laugh]. The manner in which his last observation had been received by the House, served to show that a ludicrous association once attached to a subject, would, however serious the evil, intrude itself at the most unseasonable moments. If when he had mentioned that name, there was a smile on his lips, he could assure them there was a pang at his heart, when he contemplated the dangerous results to be expected from that inquiry into which they must proceed, if his motion were negatived. That part of the papers to which he last alluded, gave him however the greatest satisfaction, and afforded him the best hope as to the result of his motion. There was in it that which cheered and illuminated the dark shadows that had hitherto seemed to pervade this melancholy subject, and which called upon parliament to devise some equivalent for the omission of her majesty's name in the Liturgy, would answer the purpose of a "recognition of her majesty's rights, and a vindication of her character at foreign courts." He thought that the solemn assurance of parliament, that if her majesty did make that concession, which they earnestly supplicated her to do, it would not be considered as in any way implying an acquiescence in the charges against her, but as a generous sacrifice of her majesty's feelings to the unanimous desire of parliament, would answer that end. What could be a more complete vindication of her majesty's character than such an assurance?

Here it was that he found the ground for his motion; and he conjured his hon. and learned friends and all the members of that House, to consider whether in this motion they had not found that very expedient—that very alternative which they were in search of. He begged all honourable members to consider maturely what would be the consequences of the rejection of his motion—that there was no alternative but an inquiry; it must be fairly confessed, too, that the restoration of her majesty's name to the Liturgy would not be a very intelligible mode of explaining and making known to countries where that Liturgy was not used, that her majesty was restored to her rights and dignities. To restore her majesty's name to the Liturgy would not have the effect of clearing her majesty's character abroad. It might probably have that effect in Scotland; but on the continent it could not be supposed to produce the same feeling, because our Liturgy was as little known there as it was in China or Japan. For a short time, a few praise-worthy individuals had made the most zealous efforts to establish the Protestant form of worship at Rome for the benefit of our resident countrymen there, but it had not been permitted by the head of all authorities in that quarter. He put it to the legal advisers of her majesty, whether any stigma could attach to her honour in the eyes of foreign princes by a compliance with the expressed anxious desire and supplication of the parliament of the country. Here was the chief point to which he was anxious to draw the attention of the House—whether inasmuch as it might be fairly supposed that her majesty's object, and her just object, was, that she should be free from all stigma upon her character, when it should be said that it clearly appeared that in abandoning what she now claimed, she had yielded to the desire, or, to use her own word, to the authority of parliament, it would not, in truth, amount to a most honourable discharge, in the most forcible way, from any supposed imputation? It was, highly to the praise of the queen that she had already shown so great a deference, for the opinion of parliament. Such a sympathy ought always to exist, and the more it was found in the breast of princes, the more it redounded to their honour. Those monarchs had ever been the most feared abroad, and beloved at home, who had most accommodated themselves to the avowed wishes of parliament.

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True it was that her majesty was not a native of this country, but he was sure, if he might use the expression, that there was enough English stuff in her composition, to induce her to make some sacrifices of feeling—not of character—for the sake of securing the good opinion of the vast majority of her subjects. If gentlemen would calmly consider the important advantages which would flow from an amicable termination of the existing differences, and the great the, inevitable evils, which must result from going into the proposed inquiry, they would feel how extremely desirable, it was, that they should avail themselves of this last opening for effecting an accommodation; and he, if this could be accomplished, should regard himself as the most fortunate man that had ever lived for the part, which he had taken towards producing so happy a change.

He wished gentlemen on both sides of the House to give their imaginations fair play, and exercise their judgment on this question, uninfluenced by any party feeling; and acting thus, he flattered himself that they would not be disposed to decide against the present motion merely because it might be open to some objections. They ought to remember, that they had but a choice of evils, and that if the proposition with which he should conclude were rejected, they must submit to all the incalculable evils of the inquiry. On a former night, an hon. and learned friend of his, with the utmost degree of force and impressiveness (perhaps greater than any other man possessed), had adverted to the amount and extent of those evils; but the statement of them, eloquent as it was, was far below their reality. He would not attempt to specify them, because he felt quite incompetent to the task; nor would he attempt to force ideas upon the House from which they must turn away with disgust, and to which he still hoped neither the minds nor the imaginations of a single man, woman, or child in the country, would be exposed. If, on the other hand, the motion he suggested were approved, and the proposition which it contained acceded to by the queen, no humiliation could attach to her for taking such a course. The nation would perceive, what her majesty must feel, that much had been given up to her, if something was still withheld which she had conceived ought to be conceded, and she would not be regarded as surrendering any rights at all involving her character and her honour, but as yielding what, without any unworthy compromise, she must feel free to give up in compliance with the expressed wish of that House. And here he was in fairness bound to state, that the courage, the magnanimity, which her majesty had displayed during these transactions, might well stand her in the stead of the points she might abandon. If, indeed, instead of boldly meeting and even courting investigation, she had withdrawn or shrunk from it, the case would be different; but as no man would dream of charging the duke of Wellington, after all his services, with cowardice, so no man, after the line of conduct the queen had pursued, would for a moment think of accusing her of hesitation or fear in daring the minutest inquiries. After the deference and respect she had already expressed for the opinion of parliament, no candid mind could put any interpretation but the best upon her compliance. On the contrary, her majesty, in his view, would only still more endear herself to the country by suppressing her own feelings, and yielding to the anxious and earnest wishes of the House of Commons.

If he lingered upon this point longer than some might deem necessary, it arose from a conviction, that he pleaded the case so weakly that he was unwilling to omit any thing that might produce the desired effect. He again most earnestly called on all parties to look at the situation in which the king and the queen—that House—and above all—the country—would be placed, if it became necessary to enter into the inquiry. Should the evils which he contemplated be unhappily realized — should the present motion be rejected, he hoped it would hereafter be remembered by those whom it might most nearly concern, that there was a time, when, by carrying this motion, an opening would have been made, by which an amicable arrangement might have been effected, as he conceived, without in any way degrading her majesty or any other party — when an accommodation might have been brought about by her majesty's partially giving up her own feelings to the expressed wish of the House of Commons. If any defect appeared in his argument, he hoped his deficiencies would be supplied by the dreadful alternative before them; and O! might the consideration of the vast, the unknown evils, the contentions and the recriminations which would flow from the inquiry, induce the House, ere yet it was too late, and induce her majesty, to take that course which would avert proceedings so fatal to the interests of all parties, and so injurious to the dignity of the Crown and the tranquillity of the country. He wished to add, it was his sincere desire that the king and queen, the parliament and the country, should feel that they had but one common cause to pursue, and that the interests of all parties were the same. He felt persuaded that the course which he was about to recommend to the House to pursue was, that which it would become them to take, and that the task which he would assign to them was that which could only be imposed on a dignified and important body—was the highest that they could be required to take upon themselves, as it called on them to act as a mediator between two personages of such exalted rank. He hoped the proposition with which he was about to conclude would meet with their approbation. If he should be so unfortunate as to fail, a result which he could not contemplate without the deepest pain, his consolation would be, that he had done all in his power to effect a termination of the existing differences in the royal family, by again calling on the House to consider the subject in the same spirit which had been manifested in every part of the late conferences, and to avoid, if possible, the necessity of entering into that inquiry, the evils of which could never be over estimated, and which must be productive of the most injurious consequences to all parties concerned in them, as well as to the welfare and morals of the empire at large. Without detaining the House further, he would move the following resolution:—

"That this House has learned with unfeigned and deep regret, that the late endeavours to frame an arrangement which might avert the necessity of a public inquiry into the information laid before the two Houses of Parliament, have not led to that amicable adjustment of the existing differences in the royal family, which was so anxiously desired by parliament and the nation:

"That this House is fully sensible of the objections which the queen might justly feel to taking upon herself the relinquishment of any points in which she may have conceived her own dignity and honour to be involved; yet, feeling the inestimable importance of an amicable and final adjustment of the present unhappy differences, this House cannot forbear declaring its opinion, that when such large advances have been made towards that object, her majesty, by yielding to the earnest solicitude of the House of Commons, and forbearing to press farther the adoption of those propositions on which any material difference of opinion yet remains, would by no means be understood to indicate any wish to shrink from inquiry, but would only be deemed to afford a renewed proof of the desire which her majesty has been graciously pleased to express, to submit her own wishes to the authority of parliament; thereby entitling herself to the grateful acknowledgments of the House of Commons, and sparing this House the painful necessity of those public discussions which, whatever might be their ultimate result, could not but be distressing to her majesty's feelings, disappointing to the hopes of parliament, derogatory from the dignity of the Crown, and injurious to the best interests of the empire."

Before he sat down he entreated the House to allow him to add one word more. He could almost wish for the first time that the eloquence of the hon. and learned gentleman near him were this night to be exerted, rather in his character of a member of parliament than in that of an advocate for the queen; for in the latter character he feared that he might consider it to be his duty to find objections to the course which he (Mr. Wilberforce) had recommended, that he would not seek to discover in the former capacity. He hoped the hon. and learned gentleman would dismiss any bias like that which he had supposed he might have. If the hon. and learned gentleman could feel himself at liberty for the moment to forget the peculiar situation in which he was placed, it might give a different aspect to his views. Yet, on reflection, he (Mr. Wilberforce) would withdraw this observation, and correct his error; because he was satisfied that all men even the queen's legal advisers, must concur with him in thinking that her majesty's true dignity and real honour could never be better promoted or supported than by preventing that fatal inquiry which it was the object of his motion to render unnecessary.

Mr. *Stuart Wortley* seconded the motion, and was persuaded that the House and the country could not desire a better pledge than they had in the character of his hon. friend who had brought the question before the House, that it was dictated by a sincere desire to heal the differences known to exist in the royal family, and had nothing to do with party. If the motion were rejected, he thought no course was left open for them but to proceed (aware as they all professed to be of the evils which must follow) to enter upon the inquiry. They must then proceed to look into the information which had been laid before the House; and, for months to come, the country would be plunged into a state of agitation which every friend to it must sincerely deplore. Every man possessed of common sense and common feeling must dread the time when the offensive contents of the green bag should become the topic of conversation in his family. His hon. friend had rightly stated that the door was still open for accommodation. To him it seemed open for the last time, and he hoped that an agreement would now be come to, such as had been recommended in the course of the late negotiation; an agreement under which the queen would not be supposed to admit any thing with which she had been charged, nor the government to retract any thing that had been advanced on the part of the king. It was the opinion of those with whom this motion had originated, that they now pointed out a mode by which this most desirable object could be effected. In the consultations that had been had on the subject, they had endeavoured most anxiously to divest themselves of all party views, and the course now adopted had chiefly recommended itself as the means of avoiding a great and unquestionable evil. He had only to add, that entertaining this opinion of it, the motion had his hearty concurrence, and he now begged to second it.

Mr. *Brougham* took the liberty of presenting himself to the notice of the House thus early in the debate, partly because, from an indisposition under which he laboured, he feared he might not be able to deliver his sentiments at a later period; and partly because he wished to take the first opportunity of expressing, with that candour and frankness which the great importance of the question demanded, and, at the same time, with that sincere respect for his hon. friend which long intimacy and a concurrence in the esteem of the country (at least that part of it whose esteem was worth having) had produced, his opinion upon the motion before the House. He could assure his hon. friend, that he felt some satisfaction in being able thus early to reject the compliment (if it were so to be considered) which he had been pleased to pay him (Mr. Brougham) in the conclusion of his speech, where he had asserted that, though he (Mr. Brougham) had the honour to hold the high situation of one of her majesty's legal advisers, he should nevertheless deem it inconsistent with his duty as a member of parliament to urge any argument or to support any proposition in his official capacity without coupling it with his judicial capacity in the House, or at least without merging the one in the other for the sake of arriving at a just and impartial determination. He (Mr. Brougham) should not have proceeded far in alluding to the various topics advanced by his hon. friend, without distinctly showing that it was his intention to argue no small portion of this great subject, not as one of the law-officers of the queen, but as one of the members of parliament.

In the first place, he wished to call the attention of the House, because it was most material to do so, to the right understanding of the position in which the unfortunate failure of this negotiation had left the illustrious parties. And here, to show in the outset that he was speaking with the impartiality of a judge, and without the bias of an advocate, he would at once assert his opinion (candour and justice demanded it, without reference even to his exertions as a negociator), that in this negotiation no little had been already gained by her majesty. In the first place, let it be observed, that it was now explicitly acknowledged, that the only basis on which her majesty could be called upon to treat, was that high ground of her unimpeachable, undisputed and unsuspected title of queen of this realm. Her majesty had made this her only *sine qua non* in the course of these transactions. In the course of the details it was true she had insisted on other points, but they were merely in the alternative; and the only proposition on which from the beginning she had been inflexible—to which she acknowledged no substitute, and contemplated the possibility of no equivalent—because no equivalent could for an instant be named—was the unqualified recognition of her rights, of her rank, of her privileges as queen of England; and this recognition she had obtained before the conference was opened.

The next point gained was also one by no means immaterial. He did not mean to impute blame, or to divine improper motives; but, from whatever cause it arose, certain it was that her majesty had not arrived in this kingdom with the customary state and attendance—such state and attendance as were now offered to her majesty, should she think fit, or should it suit her majesty's convenience, or her plans of domestic arrangement, at any future time to revisit the continent. Should that event occur, she was now to be allowed all the pomp and circumstance usual on the voyages of the highest personages of the royal family. Some hon. gentlemen might hold this point but a trivial matter, and perhaps he himself did not very much over-rate its importance; but this was a case where little things became of great moment; and inasmuch as the omission of the ordinary forms of respect would be a degradation, the concession and observance of those forms was proportionally important in restoring her majesty to the situation she had a right to occupy.

In the third place, it would be remarked, that though the proposition tendered by her majesty was not conceded—though there was to be no absolute recognition and official presentment of her majesty at foreign courts by the representatives of her royal consort, yet still something approaching it—something flowing from the same principle (or it flowed from no source, and was built upon no foundation) had been granted, for steps were to be taken to ensure her majesty suitable respect and attention. It was not the old cold "concession of comfort and convenience," but of attention and respect; she was to be formally announced by the representative of her royal consort, the sovereign of this country, at the court where she might be pleased to take up her residence, and there to be treated with all the etiquette belonging to that court, and becoming her rank as queen of England—unquestionably so by the law of the land.

Last of all came that kind of ceremony, not in any view immaterial, which had been contemplated by the negociators as the possible winding up of all these proceedings, and which, strictly speaking, could not be asked on the one hand, or granted on the other, out of this House. He felt satisfied that no hon. gentleman would look upon it as indicating a want of respect for the negotiators for the privileges of parliament, when mention was made by them of no disinclination to propose to the House, on the part of government, a joint address to the king and queen, speaking of them together, and thanking them together, for the concessions they had made in compliance with the declared sense and wishes of parliament. Now would any gentleman think this an unimportant acquisition, who recollected that not four months ago it was impossible to obtain from ministers even the mention of the word queen? She was an "illustrious female"—"a high personage"—"an exalted lady"—"a character of great distinction whose interests were deeply implicated in the conversation," with he knew not how many more idle circumlocutions and studied periphrases. And all to do—what? To do nothing; or if to do something, only to do that which was now undone. The object, then, was, to avoid the mention of the very name of queen—the name of that queen whose rank, title, and rights were now not to be disputed. Nothing was now heard but—the queen—her majesty's rank—her majesty's dignity—her majesty's honour—her majesty's law advisers—her majesty's rights, and so on. Now her majesty was to have yachts for the channel, frigates and ships of war for the Mediterranean, or to go to and fro as she pleased—she was to be treated with every respect and attention at foreign courts; and finally she was to receive a congratulatory address jointly with the king from both Houses of Parliament. He knew that, upon this point, he was arguing against some of his hon. friends. He was battling with them as well as with their political opponents, who might assert, that all these concessions amounted, in fact, to nothing. If all the rest were trifles, was it nothing to obtain the acknowledgment of a queen, whose very existence had been doubted but a few months ago? and was it nothing that those very ministers who had refused to name her, were now willing to move a joint address to her and to her consort? How was it to be worded, but to both the king and queen, in the same terms—"We, your majesty's most faithful subjects." Her majesty was no longer an "illustrious female" or an "exalted personage"—she was queen, and was to be addressed as queen by her parliament, which was to carry to the foot of her throne the expressions of its gratitude and attachment.

He mentioned these points in order to expound (if he might so say to those who were more acute than himself) to some of his hon. friends what had really been acquired; for some had maintained that it all amounted to nothing [Mr. Wilberforce signified his dissent]. His hon. friend moved in a more select circle of acquaintance than he (Mr. Brougham) perhaps had done of late, or he would have been of a different opinion. He of course alluded only to a parliamentary circle. His hon. friend had not had occasion to talk to so many members, on this painful subject; he could not say with satisfaction, for it was painful to him to differ from those whose political conduct he admired — whose principles he had ever supported—and whose principles he would ever support at all hazard and at all expense—save the duty he owed to his client, and the more paramount duty he owed to his country; it was, he said, painful to meet and to differ from gentlemen whom he respected so much. If his hon. friend had been exposed to the buffets to which the legal advisers of her majesty were exposed—he would feel the difficulty of their situation; he would find to his astonishment, after reading the papers on the table, that men of close understanding, of acute penetration, men whose capacity to read could not be denied; men whose eyes could decipher any print, however small, he would find those individuals still asserting, in the face of the documents on the table, that the queen had gained nothing by the negotiation.

Upon what he had already said, he built first, the assertion that the law-advisers of the queen had not abandoned their duty to their client. Next, having procured the recognition of the title of her majesty—having procured a declaration that hitherto there was no impeachment upon her honour, whatever might be the result of future proceedings, and however resolutely determined ministers might be to persevere in inquiry, and to open the green bag (for determined he understood they were, and it was far from the intention of the queen to resist that determination), yet, having gained thus much in favour of her rights and her innocence, and standing upon this rock and basis, he put it to the House, whether it did not become the station the queen had now acquired to stand still longer upon resistance, and to demand that some further step should be conceded? It had been said by his hon. friend that the question regarding the Liturgy had not originally been made an indispensable point—a *sine qua non*—that it formed no part of the communication made to her majesty's servants by order of the king, but arose during the conference. He could at once supersede this argument, or, if that were not sufficient, he could explain in a single sentence the apparent omission. It was contended that it was not a *sine qua non*. Granted; at least it had been all along admitted to be such a *sine qua non* as admitted of an equivalent. First, the queen insisted that her dignity and honour should be recognized, and, these once secured, she had deemed all other matters of little comparative importance, and was willing that they should be submitted to arbitration. Among these was the question of residence, and, at the meetings of the persons appointed to confer, that point came early into discussion —it was in truth placed first in the enumeration. A doubt arose whether for private reasons—reasons which amounted to a matter of convenience, rendered almost necessary in consequence of those domestic differences which unhappily existed, and which, however lamentable, appeared beyond all human remedy—for her own accommodation, and to avoid the inconvenience that must constantly arise from the holding of two courts as well as to remove the queen from a situation on several accounts obviously disagreeable, her majesty might not think it expedient to reside for a time abroad— for a part of the year, or for the whole year, as might suit her convenience and pleasure. But it was asked whether such a step would not be liable to misconstruction—when evil charges had been preferred against her majesty, and when evidence had been flung upon the table of that House, in order to support those charges? When a message from the Crown had introduced this painful subject to the parliament, it was asked, whether her majesty's removing out of this country, especially when no investigation had taken place—when those charges had remained unretracted—when evidence had been tendered, and not looked at, to support those charges—and when her majesty had not been able to tender counter evidence, though she had counter evidence in abundance—it was under these circumstances suggested, on the part of her majesty, that something was necessary to be done in order to prevent misconstruction.

The first thing that suggested itself for this purpose was the restoration of her majesty's name to the Liturgy, and precisely in this mode the question found its way into the negotiation. The remarks which he had now offered, he thought it his duty to make as a party to those negotiations, the papers relating to which were on the table. But he was not only an adviser of her majesty, he was a member of parliament, and in that character had a duty to perform. When his hon. friend brought the question of the Liturgy before him, he saw in it at once matter of great importance; and when he viewed it in the light of a step, to be taken with a view of bringing about an accommodation or compromise, its importance became greater in his eyes. From all that he himself knew, from all that he understood by communication with others, he might venture to say that a great majority of that House, and a strong, he might say an overwhelming majority of the people outside the doors of parliament, were satisfied that the restoration of her majesty's name to the Liturgy would render the success of those negotiations certain, without the possibility of misconstruction, of shedding any thing like dishonour on the queen, and without the possibility of throwing dishonour on his majesty. The fact was so—he would undertake to prove it to those who might appear to doubt it—was this single difficulty done away, he could assure the House as solemnly as he could make any asseveration, that no other would present itself; he could assure them that it was the only remaining obstacle—that no other difficulty in the way of an arrangement existed. Let the word "Liturgy" be but once amicably pronounced, and every impediment would be removed. He had no more hesitation or doubt as to this, than he had in believing that he stood in that place, or that he was then addressing that chair.

Considering, then, that even in this light it was a subject of paramount importance, he must now take an argument respecting it upon another ground. Far was he, and always had been, from wishing to make this a party-matter; he had, throughout the discussion, deprecated the interference of a factious spirit. It was now more than ever necessary to guard against an evil of this kind. Neither was it his desire to cast any peculiar blame on his majesty's ministers (to whom he might be said to be habitually opposed in politics) for their conduct. He believed that deep regret was felt by the great majority of that House at the omission of her majesty's name in the church service; and by how much the more the act ought not to have been done, so much the easier would it be to undo it. It might be regarded as a slip, as an illegality, as an oversight. It would therefore be no impeachment of the Crown, scarcely an impeachment of the advisers of the Crown, to rescind an act hastily and unwisely done. If it were necessary to advert to the point of illegality as a questionable one—but he did not wish to fatigue the House by a law argument,—he should submit one or two plain observations on that topic, which, at least to his mind, were completely satisfactory. It had been said by some that there was no right vested in the Crown to alter the Liturgy, but that such right belonged to a venerable body, whose claims were now only heard of, and which appeared to exist only by adjournment, called the Convocation. Such alterations, it had been contended, ought always to be made by them, and this argument was founded upon certain words in the preamble of the Act of Uniformity. Those words imported that the Book of Common Prayer had been framed and prepared by that reverend assembly. Now, he did not mean to lead the House into a labyrinth of legal and theological lore: he well knew that some worthy men, and amongst others Dr. Johnson, had lamented that the Convocation was not in active being; but, known as it now actually was only by its name and its adjournments, it was enough to say, that the Book of Common Prayer did not rest on the authority of the Convocation, but had been established by authority of parliament after it had been prepared and considered by the Convocation. It was the legislature which made it the canon of the devotions of the church, its standard and its rule. The act contained a saving clause, most cautiously worded, which reserved the right of altering; and to whom? not to the Convocation, not to the Crown, not to parliament, but to the proper legal authority. It enacted, that in all litanies, collects, or prayers relating to the king, queen, or their royal progeny—not that any changes should be made by due legal authority, no such thing—but "that the names of the royal family be changed and altered from time to time, as may be fitting to the occasion." What must be understood as the fair intendment of these words? Did they not, upon every principle of ordinary construction, signify, that as George might succeed to Anne, or Caroline to Charlotte, the names of the latter should be substituted for the former? He took his ground upon this simple and obvious interpretation; he was not desirous of strengthening it by any collateral reasoning, or arguments drawn from analogy, and questions *in pari materia.* Parliament, he thought, would concur with him in viewing the case in the same light, if it really wished to get free from the difficulty in which it had been placed. But if it chose rather to hug its fetters, and to remain entangled in its perplexities, then indeed it might be disposed to entertain and give ear to overstrained and far-fetched constructions, such as ingenious and subtile men had ever at hand, and the House would certainly succeed in continuing its present difficulties.

But there was yet another view in which this subject might be considered: he held that it was no answer to her majesty's claim to say, as had been said by his hon. friend, that her majesty was prayed for under the general words of "all the royal family." The difficulty considered as arising from scruples of conscience might indeed be removed by this consideration, but that he regarded as the smallest part of the difficulty in this case. He could assure his hon. friend that it was far from his meaning to undervalue the conscientious and religious view of the subject. But the main question here was, not whether the omission of her majesty's name was legal or illegal, not whether it could be justified as legal, by the clear or only by a forced construction of the statute; for, conceding these points, the utmost which they amounted to was, that it had been lawful to advise the king to do it. But it did not follow that it was therefore right to do it: the question as to its justice and constitutional propriety was yet to be considered. He was now expressing himself in the language of the constitution, and he knew no other: he could admit nothing of a personal nature to mingle with his argument: wo, indeed, be to that man who should venture to introduce such allusions in that House! He only knew the king by his ministers in that House, and they, too, were bound to act in a constitutional spirit. What, then, was the tendency of the unfortunate act in question? He greatly feared that the healing words of his hon. friend would not repair the mischief. Could it indeed be maintained, that the erasure of her majesty's name from the prayers of the church cast no stigma and implied no suspicion? This, indeed, his hon. friend had not said: his hon. friend, for obvious reasons, lamented the proceeding. In a matter of this kind, every thing must be looked upon as degradation that was contrary to old and established usage. Had the crown in fact, he must again ask, the right to pursue this course? If queen after queen had been prayed for—if her present majesty, whilst princess of Wales and until the demise of the Crown, had herself been prayed for, could such an omission be passed over as a trifling or unimportant matter? But it seemed that the name of George 1st had been inserted singly in the Liturgy without that of his queen, and this was stated by way of showing that her majesty would sustain no dishonour by a similar circumstance, and was introduced for the purpose of bolstering up the argument that her majesty would suffer as little in a secular as in a religious point of view. Were he not, however, averse to tread on the ashes of a departed queen, he could show that this reference contained the greatest possible aggravation of the injury. Then it had been urged that the duke of York was not prayed for by name; but a duke of York, as heir-presumptive, had no title to be so prayed for; and the rule respecting even an heir-apparent, was by no means so inflexible as with regard to a queen-consort. The queen he must remind the House, was not only the consort of the king, but the first subject of his realm. She was subject only to the monarch; she had high and peculiar privileges—he had almost said prerogatives. The king's prerogatives, indeed, were not imparted to her, but they sheltered, covered, and protected her. In other respects she enjoyed privileges above all other women. She was both in law and in fact the stock from which they were to look for the continuation of the royal line. It was not to their present majesties that he immediately applied this remark, but his argument, if just in one case, could not be controverted in another. The whole policy of the law was bent to guard and restrain a queen-consort in her royal capacity. With the view of averting civil wars, and preventing the evil of a disputed succession, the whole force of legislative enactments, and all the ingenuity of legal device, had been exerted. The object of the law was, not only that no spurious issue should bring this danger on the country, but that no suspicion should attach to the legitimacy of the succession. This cardinal principle was maintained and surrounded by the highest penalties. It was deemed necessary to preserve the royal line pure from the slightest taint. Let the House see and consider, then, what had been the conduct of his majesty's ministers. By their order in council omitting the name of her majesty, they had introduced and fixed a stigma in this very quarter; they had done what, under other circumstances, might have caused all the horrors of a disputed succession. The illustrious parties might have separated for a time, and have afterwards come into the same neighbourhood; or a reconciliation might take place. It was nothing to his argument to intimate that her majesty had now arrived at that time of life, when a continuation of the royal line was not in the course of nature to be expected, but at what age, he would ask, was the king entitled to degrade his consort? Was there any distinction as to the age at which the king might expunge the name of his consort from the Liturgy of the church of England? Or was the proceeding to be justified on the ground that her majesty was fifty-two years old? Another queen might be only twenty-two. Suppose a different state of things to exist —suppose, for a moment, that the king and queen were living together, and that the queen were great with child by his majesty—(he was only speaking in the language of the law)—why then, according to the doctrine of some persons, the king, notwithstanding all the solemnities which had passed, might, by this proceeding, affix the stigma of illegitimacy on the child a month after it was born. It was upon these grounds that he viewed the order in council as illegal and unconstitutional; and he was sure that the sooner parliament set it right, the better for the constitution, and for the country.

But he was then told that her majesty ought to wave this point because an accommodation was desirable. His question, in answer to that observation was, why should not his majesty, or rather his majesty's ministers, wave the point? They were the authors of the act: her majesty was only the sufferer by it. The concession must be degrading to her majesty; it could not be degrading to the other side. On the part of her majesty it was to surrender all, on the part of ministers it was to surrender nothing. If the queen acquiesced, she must be degraded every Sunday in the eyes of every church congregation throughout the land. His hon. friend had observed, that the circumstance would hardly find its way into foreign countries, or become known abroad. He (Mr. B.) did not care if it never crossed the channel—in his mind, the objection was not in the slightest degree diminished. What, was it nothing to be degraded in every parish in England? Was it nothing to be degraded in every church and chapel in the king's dominions? Or was it nothing, on the other hand, that her majesty should be redeemed from a state of unmerited degradation, and be restored to a situation which she had done nothing to forfeit? If parliament would interfere, they would do so with the applause of the country; they would perform an act highly expedient in policy, as well as exalted in justice. He would show his hon. friend how highly the prayers of the church were valued in former times; and for this purpose, he would refer to those pure times of the constitution, as well as of the religion of the country, when the stock of the reigning family was introduced: he would go back to the *incunabula gentis*, to the source of that pure blood which he hoped might long continue to flow untainted through its proper channels, and the purity of which, he trusted, the House would preserve even from suspicion. At the beginning of the last century a great controversy was maintained both in this country and in Germany, whether the princess Sophia ought not to come over here, and establish herself during the life of queen Anne. The friends of the Hanoverian succession thought it expedient, as they feared that the queen was privately favouring the Jacobites; but, on the other side, the inconvenience of holding two courts, and various other topics, were insisted on. This, then, was the case of a disputed succession, and it was at such a crisis that the electress of Hanover addressed a letter to the archbishop of Canterbury, which indicated the high value that she set upon being made the subject of public prayer in this country. She mentioned it as a circumstance almost equivalent to her coming over; and after stating the request which she wished to have communicated, and expressing her gratitude to the queen for the courtesies already shown to her, added, "And I do especially remember that she ordered me to be prayed for in your churches." It was here estimated in the light of a security to a title of succession to the throne; and was it then strange that her present majesty should think it material to the recognition of her rank, and to the vindication of her honour? Was it unnatural that she should view it as intimately connected with the dignity of her situation?

He himself would not listen for an instant to the argument, that the Crown would lower itself by the concession. Ministers had advised the act; let them now advise its revocation. The disgrace, when removed from the queen could not attach to the sovereign: if he thought it could, he should be the last man to advise it. Who was not anxious to protect the unsullied honour of the Crown of these realms? On no account whatever, happen what might, would he cast the slightest shade on that pure and spotless diadem. But his majesty acted by his advisers; and to them, if any opprobrium should attach, it was a minor consideration. That it was even contrary to the rules of the House to speak of the king in his individual capacity was well known, and yet the error, he was apprehensive, would be found still lurking at the bottom of men's minds. If the resolution of the House and the votes of members should be swayed by these means, then would they be governed by considerations which they dared not avow, and would do an unconstitutional thing without being able to state their reasons. When kings, queens, and princes, were endowed with their high dignities, the individual merged in the political character, and ordinary rules were no longer applicable to them. They were, however, bound to pay respect to parliament, because their advisers were obliged also to defer. Upon the principle maintained on the other side, the king might go to war from personal pique against a neighbour; or, put the case of his having a sister dishonoured or defamed, he might refuse to make peace on the same account. In such a case, the best feelings of our nature would be all enlisted in his justification; but it would still be the duty of parliament to control those feelings, and to prevent the exercise of any imaginary right.

The present appeared to be a case in some degree similar to the one he had supposed; and why was this to stand out an exception? Were they to open their ears to every rumour, or to every vague notion that the king's dignity might be insulted, and lose sight altogether of the queen's situation? It appeared to him to be an easy mode of extricating themselves from their difficulty, to carry up an humble address to the foot of the throne, representing the sentiments which they could not avoid entertaining on this painful subject; and praying the king to restore her majesty's name to the Liturgy. He was aware that he must have exhausted the attention of the House, but before he sat down he wished to say a word or two more. Why, it might naturally be asked, should his majesty's ministers be afraid of giving similar advice to their royal master? Circumstances were now very different indeed from those under which they had advised that step which it was now so desirable to retrace. Their majesties at that time were not only in a state of separation, but the queen was living abroad. Inquiries were talked of, and even divorce was threatened. Why, then, when circumstances wereso different, did not ministers honourably retract, or rather recede from, the error which had been committed? Of what could they be apprehensive? He knew it was a tender topic. He would exhort them not to be alarmed at any consequences which might follow from an act of policy, justice, and (he would say) necessity. Let them not fear lest their sovereign should discountenance them for it. He was too just and patriotic and magnanimous not to know that it must be extorted from them by the commanding voice of parliament. Even if it should lead to a dismissal from their places, he would repeat, though he might incur the censure of his right hon. friend for doing so, that they need not dread that by manfully discharging their duty, or yielding to expediency, or complying with the wishes of that House, they would ultimately lose them. He should like to see the man who would step forward to succeed them in such a case. Where could be found the rash and presumptuous factionists, the headstrong and audacious politicians, who would venture to step into places from which others had been removed only for discharging an honest, a conscientious, and an important duty—a duty, the performance of which was called for by the voice of parliament, necessary for the honour of the throne, and desired by every honest and loyal heart in the country? He knew that his right hon. friend (Mr. Tierney) had checked him, on a former occasion, when he introduced that topic; but he did so from a misapprehension of the words that had been used by him; he did so, because he misunderstood the expression he had uttered. He had, on that occasion, expressed no fear that the breed of statesmen had become extinct in this country. He had not said, that, if ministers threw up their situations, men on that (the opposition) side of the House would not be found to take office. His right hon. friend was anxious, over anxious he thought, to prevent the House from imagining, that if the interests of the country and the commands of the king called on the gentlemen who sat round him, they would be backward in yielding to that call. He agreed with his right hon. friend, that if he had said what he supposed, he would have deserved his reprimand; it would have been against his duty, as a member of that party to which he belonged; he would have stated that which was contrary to the fact; he would have advanced something which his own feeling contradicted. But his proposition was entirely different from that attributed to him. He would now apply it to this question, as he had formerly done to another, when his right hon. friend reprehended him; and he called on any man, if he could, to deny its validity, on the grounds on which he placed it; not on the grounds on which it might be placed by others. His proposition was, that no men would, in the event alluded to, take office, if they were required to refuse compliance with the wishes of parliament; and he should like to see the men who would accept of power, when they knew they must encounter disunion.

He would fain hope that they were now near the end of these painful preliminary discussions, and that any farther discussion would be rather on the conditions of some amicable adjustment, settled on the terms on which alone her majesty could consent to it, on the ground mentioned in the papers on the table, viz. of the insertion of her name in the Liturgy, or of some equivalent, if any equivalent could be found by those who rejected the equivalent which her majesty's law officers proposed. But he fervently hoped, that, at least, this was the last time he should be placed under the painful necessity of addressing them on this preliminary business. Let the House consider for a moment, how pressing the motives are which induce them finally to settle this discussion. They were going on, day after day, and something else was going on, day after day, out of doors—much irritation, great disappointment, and a constant factious meddling with, and perversion of, the case, for the purpose of keeping up that irritation. He would not say that this had taken place; he would say that it was going on every day and every hour. It was time that such a state of things should end; and he believed it was the general opinion, he hoped, a strong one, that these discussions should also terminate. He assured the House he never felt greater or more acute pain than he did, in finding himself, day after day, differing so much from friends whom he esteemed. His situation was, however, a peremptory one. He owed a duty to those with whom he was politically connected—a duty from which he would never shrink; he owed, in common with all the members of that House, and every public man in the empire, a duty to the throne; but he owed a paramount duty to the best interests of the country, its tranquillity, its honour, its morality, its prosperity! That duty was coupled, with one, if possible, more sacred still—a duty which every professional man owed to the client whom he was selected to serve; and he called on every man who heard him, sitting on whichsoever side of the House he might; and most of all he called on those friends from whom he differed on this occasion, many of whom he might have offended, to attend to him, when he said, that he owed it to himself, as a professional adviser of her majesty, not to listen to the clamour of party, or to any other clamour, if it proceeded in opposition to that duty. He would never attempt to make the interest of that illustrious personage a vehicle for obtaining popularity; and he should despise himself, if he did not give her majesty that advice which appeared best calculated to promote her real interest and honour, and the real interest and tranquillity of the country; although the advice so given should cause him to be execrated by any portion of the community. If he could for a moment yield up his opinion from any dread of popularity, and give advice in opposition to his feelings and judgment, he should consider himself the meanest of traitors to the mistress he served. As long as that advice was listened to, he would freely offer it, careless of all popular or party feeling, and anxious only for her majesty's interest and the interest of the country. If there were any men who considered that a contrary course would be more judicious, he envied them not their feelings—if there were any men who thought that an opposite line of conduct would be more respectable, he desired none of their respect; if there were any men who thought that any opposite course would satisfy the people, he said, they libelled the people, the respectable part of the people. He disclaimed the false popularity that might be attained by such means: he had done nothing to deserve it. He would now sit down with saying, once again, that the advice he should give to her majesty should be that which appeared to him to be most conducive to her own honour and the tranquillity of the country, although it might meet with the disapprobation, in doors, or out of doors, of any bodies of men, however much, on other subjects, he might wish to have their support and concurrence.

Lord *Castlereagh* assured the House that he felt considerable difficulty in rising to address them at that moment; and that but for particular circumstances he should not have wished to intrude himself on the House before his hon. friend the member for Corfe Castle, who had risen at the same moment as himself. He was not so vain of his own powers as to hope that he could rivet the attention of gentlemen in the same degree that the hon. and learned member who had just addressed them had done. Indeed, the great difficulty he felt was occasioned by his being obliged to rise, in opposition to the powerful impression which the speech of the hon. and learned gentleman had made on the House. He had spoken on this, as on other occasions, with all the talent and ingenuity which the House knew him to possess, and which always produced a very strong effect. The hon. and learned gentleman had said he was determined in treating this question to merge his character, as her majesty's advocate, in the superior character of a member of parliament, but that declaration was only one amongst many other parts of the hon. and learned gentleman's address in which he displayed his usual ingenuity; for without losing any advantage which he might derive from his legal character, the hon. and learned gentleman had exerted his eloquence as a senator, to excite the strongest feelings in that assembly. As he perceived that the hon. and learned gentleman had quitted the House, and as from the nature of the remarks which he had to make, it was impossible for him to proceed in the absence of the hon. and learned gentleman, he would sit down for the present, and give way to his hon. friend the member for Corfe Castle.

Mr. *Tierney* said, that in consequence of indisposition, exertion, and the great heat of the House, his hon. and learned friend felt it necessary to withdraw for a short time. The debate need not, however, be interrupted on that account. If the noble lord did not wish to proceed at present, the hon. gentleman below him who rose first, might deliver his sentiments. His hon. and learned friend would return, as soon as the slight indisposition he felt would permit.

Lord *Castlereagh* said, he would wait till the hon. and learned gentleman returned.

Here there was a pause of some moments.

Lord *Castlereagh* expressed his regret at the delay. From the view he had taken of this question, he meant to have addressed the House in a later stage of the debate, which he might have done with propriety, because no proposition was submitted to them, but that of his hon. friend. which he did not mean to oppose. But the speech of the hon. and learned gentleman, which was delivered very early in the debate, rendered it necessary that he should explain himself as soon as possible, on certain topics which the hon. and learned gentleman had introduced.

Mr. *R. Martin* said, that, seeing the House at that moment perfectly unoccupied, he hoped it would not be deemed presumptuous in him to attempt to arrest their attention for a few moments. He wished to submit to the House one argument in answer to the hon. and learned gentleman who spoke last but one, and which he hoped would not be the less forcible, as coming from so humble an individual as himself. To all the reasoning of the hon. and learned member in favour of the insertion of her majesty's name in the Liturgy, he should oppose one argument, which he thought invincible, namely, that the insertion of her name, or even the proposition to that effect, would be a total departure from the agreement which had been concluded at the late negotiation. What was the agreement? This—that the king must not be understood to retract any thing, nor her majesty to admit any thing.—Such was the clear intelligible basis of negotiation to which the hon. and learned gentleman himself subscribed. If then the proposition for the insertion of her majesty's name were to be agreed to, and if the House were to press the carrying into effect of the same, would it not be in effect a retractation on the part of his majesty? Would it not be an admission of having acted wrong? Ought then the House to ask his majesty to do that which no one would call upon a private gentleman to do, namely, to subscribe himself a calumniator? Now the House should observe, that the principle upon which the hon. and learned gentleman proceeded was, that her majesty was calumniated, and that there was no ground as to her personal merits for the exclusion of her name. But although he (Mr. Martin) was as anxious as any man, that every charge against her majesty should be proved unfounded; yet he could not consent to an act which would amount to a deviation from the spirit and letter of an agreement. Had the hon. and learned gentleman confined himself to the legal right of her majesty to have her name inserted in the Liturgy—his principle would have been reasonable.—But he did not do so, because such a course would not have answered his purpose; for the hon. and learned gentleman well knew, that though he might have her name restored to the Liturgy in virtue of the decision of the twelve judges, still the question of her guilt or innocence would have remained the same, therefore the hon. and learned gentleman chose to solicit it, upon the ground that there was no cause for her majesty's exclusion, confident that the insertion of her name in the Liturgy under the present circumstances would be an admission of her innocence. He begged pardon for the intrusion, and as he saw the hon. and learned gentleman coming in, he should sit down.

Mr. Brougham having returned to his seat,

Lord Castlereagh rose and stated that he had not proceeded with his speech on account of the absence of the hon. and learned member.

Mr. *Brougham* submitted to the House, that it was perfectly unprecedented for any one member to insist that another, who had a severe complaint in his chest, should be compelled to sit the whole evening in that House, and he protested against it. Since, however, the noble lord seemed to be so urgent, he, with the leave of the House, would retire to some part of the House where he would have the benefit of free air, which he stood at that moment much in need of—at the same time that he would be perfectly within hearing of the noble lord.

Lord *Castlereagh* was willing to delay his observations to any period of the night that might best suit the convenience of the hon. and learned gentleman, to whom he intended the course which he had first adopted, as a mark of respect. The House must be aware, that from the nature of the relation in which they had been placed towards each other by the late proceedings, the line of argument employed by the hon. gentleman could only be met by him (lord Castlereagh), and in wishing to have his observations heard immediately by the hon. member, he was actuated by a desire to ascertain how much they understood each other. The House being cut off from the knowledge of many facts, could not possibly understand the effect of many of his (lord Castlereagh's) remarks, and therefore in the absence of the only hon. member to whom his remarks could be intelligible, he would have taken up the time of the House in vain.

Mr. *Brougham* said, it only remained for him to remove the suspicion, that in withdrawing himself at the moment, he was intentionally guilty of any disrespect to the House.

Lord *Castlereagh* acknowledged, that in the course of the negotiations, however he might have differed from the law advisers of her majesty as to the matter of negotiation, there could be but one opinion as to the conciliatory tone in which the conferences were managed. In what he had now to say, he desired to depart as little as possible from the spirit of the hon. gentleman who had brought forward the motion, who seemed actuated by a sincere wish to prevent the necessity of the investigation which the House thought it desirable to avoid. He would now proceed, as briefly as possible, to state his view of the question; and, in doing so, he would endeavour to confine himself to the only proposition before the House. He would, in the first instance, just observe, that there were some parts of the speech of the hon. and learned gentleman, in the introduction of which he appeared to be actuated by the feelings of an advocate, particularly when he threw out insinuations relative to the object of the question that had been brought forward by his hon. friend. He would abstain, as far as he could, from pursuing a similar course; for he most anxiously desired that the House should discuss the proposition of his hon. friend on its own merits alone. There was no necessity for going into a detail of the question. The House had heard the statement of the hon. gentleman, who made the motion; they were also in possession of the negotiation that had taken place in their view; and, therefore, there was scarcely a part of the subject to which every honourable member was not able to address his mind.

The ground to which he meant chiefly to confine himself, was that branch of the argument, which the hon. and learned gentleman had founded on the Liturgy. The hon. and learned gentleman had stated that there was one simple and plain concession which government might make consistently with their opinions, and with the dignity of the Crown, which would immediately remove every obstacle to a satisfactory conclusion. This concession, he declared, they owed to the law; and he argued that if they had not committed a breach of the law, they had, at all events, adopted an erroneous construction of it. In arguing this question, he was perfectly ready to meet, the hon. and learned gentleman, on the ground that it rested on the responsibility of ministers. He was ready to take the question on the broadest grounds of personal responsibility; he fully admitted that the personal feelings of the sovereign should not be pleaded in bar to the advice which it was the duty of his ministers to give him; and if he could not show, by reference to the law, to the constitution, and to the practice, as illustrative of the law of the country, that ministers had taken a correct course, he was willing to abide by the consequence which that responsibility might entail on him. As to the question of law, if it were as clear as the hon. and learned gentleman stated it to be, he trusted that ministers knew their duty too well, and how much it was the disposition of the House to awaken them to a sense of that duty, wilfully to advise any act in contravention of it. The hon. and learned gentleman had argued, that his majesty's ministers had nothing to do, but to substitute the name of the queen in the Liturgy, the identity of the individual, who was before mentioned in the Liturgy, as princess of Wales, being admitted. If the law were clear on this point, the argument of the hon. and learned gentleman would be correct. But he denied that it was, and he would contend, that there was not a single step taken by his majesty's ministers, with reference to advice, that would lead them to feel any embarrassment. As to the recognition of her majesty's title, he would say that it had been recognised. With respect to her majesty's legal rights, no doubt was ever entertained, on the part of his majesty's ministers, that she was, *de jure*, undoubted queen-consort of the realm. When the question of allowance was mentioned in the House by a right hon. gentleman opposite, he did distinctly state, that when the arrangements of the royal family came under consideration, it would be his duty to call their attention to a provision for her majesty, in the character of queen. He stated that to be the character in which the House would have to deal with her majesty in all the propositions that might be made on the subject. Whatever propositions were made to her majesty, when abroad, were laid before her in her character of queen. Her majesty had not been called on to surrender any of her legal rights as queen, but to forbear from the exercise of certain rights, which ministers were induced to recommend, that under the existing circumstances, she should not exercise.

It was necessary for his argument, on this subject, that he should state so much of the law with respect to the Liturgy, as governed his own judgment, and that of his majesty's ministers in the advice they had given. In the first place, he denied that the act of parliament was peremptory on this question. The words of the statute, which set forth "that it would be proper for the lawful authorities to alter the prayer with respect to the king, queen, and royal progeny," did not impose on the council the necessity of inserting the names of all the persons that came within those words. From the period of passing the act of uniformity down to the present day, a discretion had been exercised by the king in council, to include or exclude the names of individuals of the royal family. It was a fallacy, as the hon. mover had justly contended, to say that her majesty was not now prayed for. This could not be contended, unless it could be proved, that her majesty was not a member of the royal family. As a member of the royal family, she certainly was now prayed for in the Liturgy. Although he would not disguise that there were considerations on which the discretion of his majesty, to include or exclude names, had been exercised in this instance, yet he protested against the doctrine, that it was a conclusive stigma on a member of the royal family, unless his or her name were always continued in the Liturgy, if it had once been inserted in it. If they looked into ancient periods, they would find instances in which this discretion had been exercised to the exclusion or admission of persons, not merely in the relation of queen, but in various other relations. Immediately after the Revolution the names of the princess Mary and the princess Anne had been introduced into the Liturgy. The queen dowager, as well as the queen, and the rest of the royal family, could be prayed for by name at the discretion of the king in council. There was no principle of selection—the power was arbitrary. The determination of the sovereign, could insert more or less names, for the subject was not regulated by any definite constitutional rule. The act specified the king, the queen, and the royal progeny. If the act was imperative to the letter, they, and they only, could be prayed for, and in those precise terms. But the prayers of the Liturgy had been offered up for individuals who were not of the royal progeny. The princess Sophia had been prayed for by name, although it was certainly when she became heir-presumptive to the throne. He would not fatigue the House, by enumerating every instance of variation, from the precise terms of the statute; but, he would again state, that names were included in the Liturgy, or excluded according to circumstances, and as the king was advised by his council to make the introduction or exclusion. As to the mode of exercising this discretion, the council did not generally make the necessary alteration, but referred it to the archbishop, who carried the representation made to him to the king's closet, and altered the Liturgy accordingly, with the approbation of the sovereign. They had the precedent of the alteration made on the death of George the 2nd, detailed fully by archbishop Secker. The archbishop then continued the name of the duke of Cumberland, who had been prayed for by name in the preceding reign, on which the king observed, that if the duke of Cumberland continued to be so prayed for, it might be expected that his (the king's) brother, who stood in a nearer relation to the throne than the duke of Cumberland, should also be prayed for by name. It was, therefore, thought most expedient to leave out the name of the duke. In this manner had the discretion of the sovereign been always acted upon. So far, therefore, as the law was concerned in this subject, the hon. and learned gentleman was not borne out by the words of the statute in the construction of the law which he had contended for.

Having thus denied that the words of the statute were imperative, and having contended that the practice had been against the construction put upon the statute by the hon. and learned gentleman, he would also go further, to show that there had been individuals, who were not farther removed from the sovereign than the illustrious person now referred to, whose names had not been included in the Liturgy. The queen of George 1st had not been prayed for by name. It was true there had been documents in the consistory court at Hanover which justified this exclusion. But the case showed the same exercise of discretion which was acted upon in this case, and in this case too that discretion was exercised upon distinct considerations. Prince George of Denmark had not been prayed for by name, although he was the consort of the queen. This was a case which justified to the full extent the discretion now exercised. He came now to the question, whether this discretion had been on the present occasion wisely and correctly exercised? The hon. and learned gentleman had asserted, that it had been exercised in contemplation of proceedings either by a public trial or by a communication to this House. He begged leave distinctly to protest against that construction. So far was this from having been in contemplation, he could say that the resolution and desire of his majesty's ministers had been, to exhaust every effort to avert what he always considered a public calamity. It was only on the return of the queen to this country that the necessity was felt of taking the painful step of adopting any proceedings against her majesty. He had no hesitation in saying that in the advice which he had given to his majesty respecting the Liturgy, he could not lose sight of the situation of the queen. He was always ready to make a distinction between charge and guilt, and the House would recollect that he had always made that distinction in the present case. He had never insinuated that, because there were charges, they were therefore necessarily true. But he must argue the case as it had actually stood on the death of his late majesty. Information then had been given which did attribute to her majesty charges of the gravest nature. The course which was to be adopted in this situation was not to depend upon the conviction of the government; but, if information was laid before them, the question was, what course ought to be adopted till that information should be inquired into and rebutted? The point for the decision of government was, whether proceedings should afterwards be instituted or not; and, without presuming what might be the result, the point for decision had been, under the inevitable fact of possessing such information, what they were to decide as to their course. He had given that advice which he believed to be not inconsistent with his duty, and with the dignity of the Crown, which always involved the interests of the country. If, under the prospect of proceedings which nothing could prevent but that the queen should not come to this country, he had advised to call for the prayers of the country for the illustrious individual by name—not to call for the prayers of the country for her as one of the royal family, but to present the individual for the prayers of the country, when perhaps it might soon afterwards become a duty to bring down information to parliament which might give a character to her of a different sort;—he had no hesitation in saying, that, while influenced by the considerations which he had mentioned, he would, as an honest man, and as a minister of the Crown, have sacrificed his existence rather than have given a different advice, and without any examination into the truth of the information. The hon. and learned gentleman was a little too late in urging this point now upon the attention of the House. If it really were so important as he had now represented it, he must have been very supine, he must have been a feeble and inadequate defender of her majesty's honour and rights, if he had not, in the course of twenty-four hours after the change in the Liturgy had been made, called for the document to be laid before the House. What had been the language of the hon. and learned gentleman when the change had been made in the Liturgy? He had regarded and treated the questions connected with it as being as light as air, but stated the real consideration to be, what her majesty's legal rights were. The hon. and learned gentleman had then said, that *de jure* her majesty was as much queen as his majesty was king. Then he had regarded this point as neutral. The hon. and learned gentleman had not distinctly said so, but he put it to the hon. and learned gentleman, as a man of honour, whether, when he first heard of the change, his impression had not been such as he now stated? Upon what ground had the House recommended the renewal of the negotiation? If the course taken by ministers was clearly illegal, not only the hon. and learned gentleman, but the House, must have been supine, if they had allowed her majesty to negociate when she was suffering under an illegal act.—The fact was, that it was not for the House, it was not for ministers, to prevent or resist the constitutional discretion of the sovereign. Yet it was impossible for his majesty's ministers to enter upon the investigation of this condition without an inquiry into the whole subject. Why, then, had not this point been brought forward at the instant? It was too much to assert that the acts of ministers were the only obstacles that opposed themselves to the completion of an adjustment, in the expediency of which the whole country concurred, when it was apparent that the accusers themselves had not the spirit, or the judgment, to demand, in the first instance, the removal of these obstacles.—But it was characteristic of the whole of this proceeding, to forget, at every stage, not only the original basis, but the preceding step, of the negotiation.

The hon. and learned gentleman had spoken of ministers being base enough to act on certain principles; but he would say that he did not believe any ministers could be found base enough to advise the retractation of the steps already taken. If his majesty's present ministers had been base enough to do so, this would not be the last night they would have heard of it. The negotiation had been resumed on the basis that that measure should not be disturbed, and the hon. and learned gentleman had not been ten minutes with him when he agreed that his majesty could not retract what had been done. Yet now the hon. and learned gentleman wished to bring the question back to the first principle. He now put it to the hon. and learned gentleman, what advocate would have proceeded one step without insisting upon this proposition as the first and most essential, if he considered her majesty's honour not safe without being prayed for by name in the Liturgy? Whence had this new light broken in upon the hon. and learned gentleman, that, if her majesty's name was not prominent in the Liturgy, her honour could not be safe? For the House would see that, if her name were inserted, she must have been prayed for above the duke of York. At least, why had not the hon. and learned gentleman corrected his former admissions, when he made a communication from St. Omer's; for then he had had an interview with her majesty? Yet in that communication he had put all on the want of respect to her majesty from the servants of the Crown abroad. The hon. and learned gentleman had come to this country, and taken his place in parliament, yet not a word of this point. It had been after all this that the hon. and learned gentleman had taken up this view of the question, and resolved to fight for it. The hon. and learned gentleman would forgive him for believing that this suggestion had come from another quarter, and that his own legal skill and propriety would never have thought of it. The queen had never complained of this point when she had complained against secret investigation, although she mentioned the change in the Liturgy as one of the circumstances which had induced her to come to this country. This cardinal point, this stumbling-block, had not been thought of, till, by the merest accident, the word Liturgy was brought into view by the introduction of the word residence in the negotiation. If the hon. and learned gentleman had not mentioned this point to her majesty when he went to St. Omer's, to prevent the embarrassment of investigation, yet surely the most slumbering advocate must have been awakened to vigilance on the subject, when the negotiation was resumed with his majesty's ministers. But so much the reverse was it, that the hon. and learned gentleman had then said, that, as the queen's legal title was recognized, the interests of the country might be consulted by avoiding an investigation, the character and consequences of which must be so lamentable. If the king found relief from this arrangement—(and the House would not forget the calumny attempted to be cast upon his majesty, as if he now skulked from inquiry)—if the king found relief in point of position, the queen was entitled on her part to the construction of her conduct, that she bowed to public duty, and not that she shrunk from inquiry. The hon. and learned gentleman was too dextrous, too faithful, and too sincere an advocate to have omitted any point essential to the dignity and honour of her majesty. Yet he had never alluded to the Liturgy, when he had said that her majesty's honour and dignity being satisfied, every other question was secondary, and might be left to arbitration. If the Liturgy had been a *sine qua non*, the hon. and learned gentleman owed it to himself, to the country, to the government, and to his client, to have brought it forward; but it was not found in one of his points. If it had been brought forward, it would have terminated the negotiation at once. It was hard that this cardinal and essential point should have been kept back, and that ministers should thus have been entrapped into a negotiation. He did not believe that the hon. and learned gentleman had then had this point in his own mind, nor did he think that the hon. and learned gentleman could make the House believe that he had.

If persons could have been found to advise the Crown differently (and he did not believe that, if gentlemen opposite were to change places, they would give a different advice), the question was not now open for consideration. He had no hesitation in saying that he looked upon the position of the Crown as different after the papers had been laid upon the table. Whatever rumours had previously existed, they were only in the shape of rumours, and not in the shape of communication. His majesty's ministers could not then, as honest men, or in common sense, act otherwise than they had done till an inquiry took place. There had been no difficulty in point of law. If the law had required the introduction of the name into the Liturgy, it would have been a great relief from the most embarrassing question which any government ever felt. But when ministers were in possession of such information as the papers contained, they thought it their duty, through fairness to the Crown, and in justice to the country, to allow her majesty all her legal rights, but to withhold matters of prerogative, and not to do any act calculated to mislead the public as to the true nature of the ground on which the question stood. He had on a former occasion expressed the distinction which he conceived to exist between the legal right of the queen and what the sovereign might think proper, with the advice of his ministers, to grant as favour. The queen then being, unfortunately, in a situation to be the object of such representations as he had mentioned, it had become impossible for ministers to mislead his majesty or the country by holding forth her name in a view which might upon inquiry be reversed. From that time, if the king were not called on to retract, it might be open to government to deal with her majesty, not as if the question had been proved, but by giving every facility, every personal attention, and every accommodation, that could contribute to the happiness and comfort of the illustrious individual concerned. If the queen now complied with the wishes of parliament, it would be fair to view her conduct, not as a shrinking from inquiry, or a withdrawing of the pledge she gave in coming to this country; but as proceeding from a spirit of accommodation, and a desire to save the parliament and the country from an inquiry most difficult and most perilous in itself, and most alarming in its consequences. They could not proceed into investigation without inconveniences and dangers that might prove fatal to the best interests of the country; yet, no other course remained, unless her majesty acceded to the proposed accommodation.

He hoped the House would see that nothing had been done by ministers but for the sake of averting consequences which all agreed in deprecating. They had had a painful duty. Notwithstanding that they had found it necessary to make a communication to parliament whenever her majesty came to England, yet they had not disclosed any temper pertinaciously to adhere to that course so as to preclude accommodation, or shown any disposition to create difficulty or failure in the negotiation. No inference could be drawn from their conduct but that they were disposed to concede any thing short of this retractation. They submitted their motives with all deference to parliament. They could have done this with more effect if the House knew the information which they possessed, but, without an inquiry that was impossible. He agreed with the hon. and learned gentleman in the construction which he would put upon her majesty's conduct in complying with the wishes of parliament. In justice, in generosity, they owed it to the queen, especially after the course she had adopted, in coming to this country for inquiry, to put the most favourable construction upon her accommodation to their wishes. But, if the ministers of the Crown were to shrink from the position which they at present occupied, they might indeed disgrace themselves; but they would not at all relieve her majesty. Indeed, if parliament were to call upon them to retract the measures which they had taken; and if they, with the information which they possessed, were to accede to such call, they would deserve to be classed among the basest of the base. He had no objection to the motion proposed by his hon. friend, because it simply called upon the queen to listen to the advice of parliament, and did not at all affect the merits of her case; but he must protest against the manner in which it had been discussed by the hon and learned gentleman who had preceded him, because, even if her majesty's name were inserted in the Liturgy, it would not, in his opinion, make the slightest difference in her position. That hon. and learned gentleman was however the last man who ought to agitate that question; for if the system of tergiversation, which had recently been adopted, were to be continued; if, when one point was conceded, another point was in consequence of such concession to be more insisted upon, which had never been heard of before, the House might bid adieu to all hopes of any satisfactory negotiation. The course which ministers had pursued would have been correct under any circumstances, but was rendered still more correct by the peculiar circumstances of the present case. They had been willing to give up every thing, except the honour of the Crown, to relieve her majesty; they had not refused her any point which it was within their power consistently with their duty, to grant; and whatever might be the result of the present deliberations, he, for one did not feel inclined to recede a single inch from the counsels which he had given to the Crown upon this very delicate and important subject.

Lord *Archibald Hamilton* declared, that he was under the necessity of waiting until the motion before the House was read, before he could comprehend the hon. mover's intention—before he could determine upon the course which it was his duty to pursue. In proposing the amendment which he felt it his right to submit to the consideration of the House, as well as in the observations with which he should preface it, he begged to be understood that he spoke from no authority but his own; and that he was not acting, in any connection whatever, with the queen's legal advisers. He had not, indeed, decided, until he came to the House, in what terms to couch his motion. There was, perhaps, no person in that House who felt more alarm than himself at the consequences but too likely to result from a public investigation of the subject which gave rise to this discussion; and therefore he was among the most eager to deprecate such a course of proceeding. In bringing forward the proposition which he had in view, he had no other object in view than that of doing substantial justice between the two illustrious individuals who were parties to the present discussion, and of offering to the House a proposition which had more of the spirit of conciliation in it than that which had been offered to them by his hon. friend the member for Bramber. For, what was the nature of that hon. gentleman's proposition; and in what manner was it connected with the measures which had preceded it? He would inform them. His hon. friend came to the House, and he could assure his hon. friend, that, in the remarks which he was going to make, he had no intention to disparage his many great and eminent virtues; but his hon. friend came to the House lamenting the unfortunate differences which existed between the two most illustrious personages in the country—lamenting the extent to which they had been carried—lamenting the improbability which appeared of bringing them to any amicable adjustment, and concluded, after all his lamentations, by proposing that the party which had previously been acknowledged to be the injured party should submit to still further injuries, and that the persons who inflicted those injuries, and who he did not hesitate to say were his majesty's ministers, should be empowered to ask her majesty, in the name of parliament, to give a permanent acquiescence to a scheme which, supposing it to afford her majesty, a partial and temporary relief, was certain at the same time to entail upon her a permanent and an indelible disgrace.

It would, no doubt, be in the recollection of many of those whom he was then addressing, that he had some time ago expressed his intention of submitting a motion to the consideration of the House, similar to the motion which he intended to submit to it that evening, regarding the omission of her majesty's name in the Liturgy. It would also be in their recollection, that he had been prevented from so doing by the frequent representations made to him from the treasury bench, of the extreme delicacy of the subject to which he was alluding. Eager, therefore, as he had been to bring it before the House, he had still always repressed his own eagerness, in deference to the wishes of others; but the forbearance which he had hitherto shown was now at last overcome, and the exigency of the case required that he should not continue to indulge in it any longer. There would have been no occasion for him to remind the House of the speech of his hon. and learned friend, which was too argumentative and eloquent to be easily forgotten, if it had not been that the noble lord opposite had more than once alluded to one part of it—he meant that part in which his hon. and learned friend had stated that the House would not, if it expressed an opinion that her majesty's name ought to be inserted in the Liturgy, be agreeing to a resolution disrespectful to his majesty, whatever it might be to his majesty's ministers. He (lord A. Hamilton) said so too; for the constitution considered every act of the king to be the result of advice given to him by his ministers, and properly looked upon the ministers and not upon the king, as responsible for it.

This rendered it unnecessary for him to to make any apology for the proposition which he was now going to bring forward, even though the noble lord had represented it, if not as derogatory to the honour and dignity of the Crown, at least as derogatory to the counsels which he and his colleagues declared that it would be injurious to retract. The ministers, it appeared, had advised the king, not indeed to strike out, but to omit, the name of her majesty in the Liturgy. This was stated to be not at all injurious to her majesty, because she was publicly prayed for under the words of "all the royal family." With all due deference to the hon. member with whom that observation originated, it appeared to him to be of the most futile and unsatisfactory nature. If her majesty was prayed for under the words of "all the royal family," so also was his majesty George the fourth; but if they persisted in keeping his majesty's name in the Liturgy, how did they reconcile to themselves the practice of omitting her majesty's? From the general character of his hon. friend, the member for Bramber, he should have supposed that he would have been the last man in the world to represent the prayers of the public for the royal family as mere matter of court etiquette; he should have supposed that he would also have been the last man in the world who would have treated them as matter of levity, or who would have withheld them from any individual, if he had considered them as a matter of importance; and yet, unless he did consider them as mere matter of court etiquette, unless he did consider them as mere matter of levity, unless he did consider them as quite unimportant, he was guilty of great inconsistency in asking the queen to give up her right to such prayers, and in thus demanding of parliament to make itself a party to the infliction of fresh injuries upon her. He trusted that the House would turn a deaf ear to such a demand, even though it was urged by his hon. friend, and hoped that they would rather sanction the principle of revoking what had been unjustly done than of persevering in acts of similar injustice.

He would call the attention of the House for a few moments to the form of the order of council by which the queen had been thus insulted. The noble lord opposite had not made any allusion to it, and therefore had not stated the case as it at present existed. It was, however, of great importance that the form of this order should be considered, as it was not fit to remain in force, even though no paramount question arose out of it, as at present, to the interest of the two illustrious contending parties. He had received letters from different gentlemen, in different parts of the country, and even from some clergymen, stating that the order in council was entirely ineffective, and adding, that in many parts of the kingdom, her majesty was publicly prayed for, even by name. He put it to the noble lord to say whether this was or was not the case, and, if it was, to state by what means either he, or the proper authorities in the church, could enforce obedience to this order where it was neglected? He took the terms of this order from the Gazette, and these terms were merely that the names of the prince and princess of Wales should be omitted in the Liturgy, and this omission was very natural, as no such persons as the prince and princess of Wales existed after the accession of his present majesty. But the order did not contain any reference to the omission of the queen's name, much less did it prescribe any penalty upon those who thought proper to pray for her majesty. It did not command the clergy either to omit the name of the queen, or to pray for his most gracious majesty George the fourth. He therefore maintained that the clergy of the establishment had as great a right to pray for the queen as they had for the king, and would be perfectly justified in so doing [Hear.]

As this was not an unimportant point, he would, with the permission of the House, read a few extracts from two out of the many letters which he had received upon this subject, though he should decline, for reasons that were obvious, to state the name or residence of the clergymen alluded to. It was stated in one of them, that "though most of the English clergy had complied with the order in council, and had refused to pray for her majesty, her majesty had still one adherent gifted with the sacred functions, who was determined to continue to put up prayers for her welfare, until he was silenced by the proper authorities." The gentleman further added, "the clergyman of my parish gives us, every Sunday, the satisfaction of still hearing her majesty prayed for." He should only notice another paragraph in another letter, and that, principally, because it was written by a clergyman, who subscribed both his name and residence to his letter, though he (lord A. Hamilton) must decline to give either of them, for the same reasons as he had declined to give those of the other clergymen. The language of this clergyman was, "Granting an order of the king in council to be lawful, still we are bound to pray for the welfare of the queen, until we receive express order to the contrary." He did not mention these circumstances as reasons why the ministers ought to agree to his proposition, but because he thought it extremely hard to have individuals placed in such awkward situations as compelled them to act, either according to an implied and not an avowed order, or according to the dictates of their own consciences in open opposition to it. This was a point which his hon. friend the member for Bramber, had entirely overlooked, and to which he therefore wished to call his particular attention.

There was also another point which he wished to press upon the notice of his hon. friend, and also upon the notice of the House, as it showed not only the haste, but also the spirit in which this order of council had been composed and issued. It was this:—his majesty's ministers had sent it down to Scotland, where they had no authority to send it—where there was no regular form of church service—where there was no Liturgy, but where, he was happy to state, it had been rightly and universally disobeyed. His majesty's ministers had issued it, he had before said, in extreme haste; but his hon. and learned friend had clearly proved, by a reference to the Statute book, that they had also issued it in opposition to the law of the land. He (lord A. Hamilton) must therefore repeat the three questions which he had previously put to the noble lord, and must again ask him, first, whether the order in council was in the terms which he had described? Secondly, how it was to be enforced? and, lastly, in case of non-compliance with it how the offence was to be punished? The noble lord had said, that the House were not acquainted with the contents of the green-bag now upon their table. He allowed it, and trusted that they never would become acquainted with them; yet, be that as it might, let the queen be innocent, or let her be guilty, he thought it incumbent upon the House to place her, and he therefore called upon them now to place her, in the Liturgy, from which she ought never to have been displaced, not even for a moment. His hon. friend had said, that if her majesty did not accede to this proposition, there was no alternative left to the House but to proceed with the inquiry proposed by the ministers of the Crown. On this point he differed in opinion from his hon. friend, and thought that there were certainly other projects which might be adopted, even if the proposition which he had made were not acceded to by her majesty. He trusted the House would not agree to the resolution of his hon. friend, and he thought her majesty had far better place her entire interests, and her entire case in the hands of the House, than accept a proposition which would impose upon her the alternative of either rejecting the recommendations of the House, should the motion of the hon. gentleman be unfortunately carried, or of acquiescing in what would operate as a permanent disgrace to herself. It was impossible for her majesty, with that high sense of honour which always distinguished her, to acquiesce in the proposition. Strict justice required that his majesty's ministers should retrace their steps, and in this unfortunate instance, place her majesty in that situation in which she stood before she was accused. The real sum and substance of the proposition of his hon. friend near him was, that her majesty was called upon to abandon all her rights, that she was to receive nothing in the shape of an equivalent, but submit, without condition or qualification, to a proposition, the basis of which was an acknowledgment of permanent disgrace, and a submission to a residence abroad, which was likewise to be permanent, and which was not voluntary, but forced upon her. Her majesty, who was ready to meet and confute her accusers, and against whom all charges were ready to be abandoned, was called upon to submit to her own dishonour, and acquiesce in a proposition founded upon a relinquishment of all her rights and privileges. After so extensive a renunciation, he should be glad to be informed what would remain to her majesty? If the motion of his hon. friend were agreed to, she would surrender herself bound, as it were, hand and foot; and if she were even convicted of the offences of which her enemies accused her, she could not be more completely disgraced than by such a voluntary acquiescence in her own degradation.

He would not trespass further upon the attention of the House, but he wished to state specifically, that the ground upon which he should propose an amendment to the motion of his hon. friend was, that it was an act of justice to her majesty, and that as his majesty's ministers had by their previous conduct cast an unjust reproach upon the character of her majesty, they were bound in justice to retrace their steps. He should propose as an amendment to the resolution of his hon. friend, that all the words be omitted after the word "queen," down to the word "sparing" in order to insert the words, "must feel at the relinquishment of any points in which her dignity and honour are involved, and is of opinion, that the insertion of her majesty's name in the Liturgy would be under all the circumstances of the case, the most expedient and most effectual mode of, &c."

Sir *F. Burdett* seconded the amendment.

Mr. *Wilmot*, after stating the position in which the House stood, desiring these differences to be arranged by conciliatory means, rather than by public discussion, took a view of the negotiations, in which he observed her majesty's legal advisers had contended for four distinct points of concession:—1st. the acknowledgment of the queen *de facto*; 2nd, the mode of her departure, if she left the country; 3rd, the instructions to diplomatic agents abroad; and 4th, an address from that House, which should be satisfactory to her honour. But when they had proceeded so long on these points, he was surprised, and he was sure the House could not fail to be surprised, at her majesty's legal advisers bringing in another argument of quite a different nature from the rest, and breaking off the treaty on account of that new claim. What they now contended to be so disgraceful and so essential, they had never before hinted at as inconsistent with her majesty's dignity; nor did it appear so to him. The necessity for the alteration in the Liturgy was quite plain and obvious, and the omission of the queen's name was no degradation. That was the sense in which the House declared it viewed the matter, and wished it to be understood, and it would be advisable for the queen to receive it with that construction, as preserving as much as possible the honour of both parties. Much had been said of the act 13th of Charles 2nd, by which the names of the queen and the royal family were ordered to be inserted in the Liturgy. The omission of the name of her present majesty was nothing more than a compliance with established usage, for that act had left it discretionary in the council to decide whether the name of the queen and of the royal progeny was to be inserted or not. Nothing had been more frequently ridiculed than the introduction of so many names of the royal progeny into the Liturgy. Might it not therefore be presumed that the merely leaving out of a name could not be derogatory to the dignity of any of the royal family. If the House allowed that the act permitted the exercise of discretion on the part of the council, no blame could be attached to the omission of the queen's name. Ministers would have been pleased that the act should have compelled the insertion of the name of the queen. For himself he would say that he would not vote for the motion of the hon. member, if he thought that it would produce any improper consequences. Reference had been made, during the debate, to an unfortunate princess, the consort of George the first, but the analogy was not sufficient, for that affair was now a matter of historical doubt, and all that was known of her was, that she had lived in seclusion. He hoped that the House was convinced that no alteration in the Liturgy had produced the effect of having made a charge against any of the royal family. Under these circumstances he hoped that the House would act so as to prevent the omission of the name of the queen from being a bar to the negotiation or to the regulations which had by it been nearly carried into effect. The House was, he trusted as he himself was, irresistibly impressed with the necessity of not following the example of the hon. and learned gentleman, who had not only at St. Omer's but on several subsequent occasions acted as if the point, on which so much stress was now laid, had not been deserving his consideration, and that they would by their proceedings prevent the exposure of those details, of which it could not but feel horror. He warmly approved of the conduct of the hon. gentleman who, ever ready to be of service to his country, had, by stepping forward on this occasion for a practical good, added to the character to which all his former conduct had raised him. On the omission in the Liturgy, he again impressed on the House, that it was not bound to suppose there was no other cause for the alteration than the existence of a charge against the queen. The House was justified in putting another explanation upon it, to satisfy her scruples, and he was sure that if it could have borne no other construction than that of disgrace, it would not have so long escaped the acuteness of her majesty's learned advisers.

Mr. *Denman* said, that the observations which had fallen from the noble lord opposite had rendered it imperatively necessary for him to rise up in defence of the conduct of his hon. and learned friend and his own. With regard to the motion before the House, he thought he should ill discharge the duty which he owed to his illustrious client, were he to accede to the proposition of the hon. member for Bramber. He was by no means disposed to admit the refined distinctions which had been made between the duty which he owed to his client, and the duty which he was bound to perform as a member of parliament. It was impossible, indeed, to divest himself of those feelings of respect and duty which the confidence reposed in him by her majesty was calculated to inspire; but he saw not the smallest inconsistency in performing the duties of those separate capacities; for he would best defend the rights of the queen, who performed his duty best as an honest member of parliament. When he considered upon what unequal terms the parties met, when he considered the power and influence with which the charges against her majesty had been brought forward, and the friendless and unprotected situation of her majesty, he thought there never was a case in which it became more imperiously the solemn duty of every honest man to stand forward as her advocate. He could not but allude to the situation in which he was himself most unexpectedly placed. He had never contemplated the possibility of being placed in the situation of a negociator upon so important an occasion, and no man could feel more strongly than himself his inadequacy to discharge its duties; but when he was told by the noble lord opposite, that his hon. and learned friend and himself had changed the basis upon which they professed to negociate; when the noble lord stated that his hon. and learned friend and himself had, in the course of the negotiations, brought forward demands in proportion as concessions were made—that they had shifted their ground, and had, according to the phrase of the noble lord, been guilty of tergiversation—he must repel the charge—he must deny the accusation, and dare the noble lord to the proof. So far was the noble lord from being correct in his assertions, that he would disprove them, he thought, to the noble lord's own satisfaction, by recalling facts and circumstances which must have dropped from his recollection, and by quoting language that he must have forgotten. He would show, that so far from changing their position, or shifting their ground, her majesty's legal advisers had kept to the last the ground and the attitude which they first assumed.

When the negociator on the part of government met his hon. and learned friend and himself, and the basis of the negotiation was laid in her majesty's residence abroad, subject to every kind of qualification and condition necessary for the maintenance of her dignity and the protection of her character, the necessity of some concession on the other side was immediately mentioned. It would be seen by looking at the record of the first conference, that her majesty's law-advisers, in stating her majesty's acquiescence in a proposition to reside abroad, had added, "but then that certain steps must be taken to remove the possibility of any inference being drawn from such compliance, and from the inquiry not being proceeded in, unfavourable to her majesty's honour, and inconsistent with that recognition which is the basis of these negotiations; and her majesty's advisers suggested with this view the restoration of her name to the Liturgy." Her majesty's advisers had certainly listened to every proposition for an arrangement—to every suggestion of accommodation; but they never forgot the duty which they owed to their illustrious client, or the consideration that was due to the defence of her honour. Perhaps they had erred in listening too long; but they had never deserted the ground which they originally occupied. The noble lord was therefore wrong in saying that they introduced a fourth condition. They allowed that her majesty had no insuperable objection to reside abroad, but they demanded in her name a recognition of her rights, and, as the best way of obtaining that recognition, they claimed the admission of her name into the Liturgy. He had himself taken only that inferior part in the negotiation which was due to the talents of his hon. and learned friend, but he happened to be the person who had insisted upon this principle; and to suggest the necessity of this or some equivalent concession. They debated the point with the noble lord then—and he (Mr. Denman) was now prepared again to debate it—that on a recognition of her rights, and an admission of her innocence, all ground for withholding her majesty's name as queen from the prayers of the nation was removed.

He would not go over the arguments which had been so forcibly urged by his hon. and learned friend, but he would say that the act if it had any meaning made it as imperative to mention the name of the queen as of the king in the Liturgy, by placing both on the same footing. The case was different with regard to the royal progeny, and there was no direction respecting the number to be prayed for by name. With regard to them, therefore, a discretion was allowed, but the insertion of the name of the queen was as much a matter of course as that of the king. Precedents of omitting the queen's name had been mentioned by the noble lord, but he (Mr. Denman) wondered that those quoted should be for a moment listened to. The noble lord had said, that the queen consort of George 1st had never been admitted into the Liturgy. Why?—she never was a queen. The acts obtained against her in the consistory court of Hanover amounted to a divorce. She lived afterwards under the title of the countess of Halle, and would never have been mentioned as likely to claim the rights of queen had not her cause been taken up by the prince of Wales in his disputes with his father, and made an engine to annoy the king.—Her death was announced in the Gazette as electress of Hanover. What parallel was there therefore between the situation of the wife of George 1st and that of her majesty? The former never was queen of England. She never was princess of Wales. She never was in the Liturgy, and never was, of course, erased from it. With regard to the precedent of the duke of Cumberland, he might say that it would be "more honoured in the breach than the observance." It was well known to what the exclusion in that case was to be attributed; and that it originated in feelings which conferred no lustre on the royal family If there was any instance in which more than another political animosities and family dissensions should be forgotten, it surely was when we offered our prayers to the God of Mercies for that forgiveness of which we all stood in need, and which those would not need the least who were the persecutors on the present occasion But it was said that though her majesty was not mentioned by name, she was prayed for as included in the prayer for "all the royal family." Why, we prayed for all men, and when we supplicated heaven for "all who are desolate and oppressed," we might be said to include under that character the illustrious individual who was now excluded from the Liturgy by name. It might as well be said that she was prayed for under any of these general descriptions as under that of the royal family. He hesitated not to declare the erasure of her majesty's name from the Liturgy as an illegal act. The right of the king to be prayed for by his people was not more indisputable than that of his consort queen Caroline. Her majesty's name was inserted as princess of Wales when his majesty was prayed for as prince of Wales. All that was allowed to the privy council on the death of the late king, and the consequent change in the situation of their majesties was, to change the name to answer the change of condition, but not to exclude the name of the queen any more than that of the king.

But it had been said that, if this claim was a legal one, the granting of it would be no concession, and therefore would be no recognition of innocence. To this opinion he could not subscribe. The insertion of her name might still be a concession. She claimed a right, because she had no power to enforce compliance with it—because the duty of making the change devolved on the Crown, and might be, as in this case, neglected. The noble lord, in a speech from which he (Mr. Denman) could not collect many distinct propositions, and one sentence of which generally contradicted another, had admitted that ministers had advised the omission of her majesty's name, but that the act was the personal act of his majesty [No, no!]. Why, did not the noble lord say that it was done by the king in his closet? He (Mr. Denman) knew not in this country of a king in closet. He would therefore consider the erasure as the act of ministers, and would appeal to any member of the House, to any man of feeling or generosity in the country, whether in the circumstances it was wise, magnanimous, or just? It was an act of the grossest injustice to the illustrious person under accusation, for it was a contemptible quibble to say that it was no derogation; and the very fact of her being accused ought to have operated as a reason for placing her in the best position in which she might meet her defence. If she was to be accused, let her be accused as a queen, and as a queen let her rights be recognized. But the noble lord had said that the basis of the negotiation was, that the king's ministers should retract nothing; and that the restoration of the queen's name to the Liturgy would be a retractation. Was not the charge against the queen retracted? and was not the omission of her majesty's name in the Liturgy justified on the ground of this charge? Since, then, the charge was withdrawn, did not common consistency and common sense require that her majesty should be restored to that situation which she would have occupied if no charge had been made? There was, it seemed, an accusation—the accusation was pleaded to justify the omission—the accusation was retracted—why not retract the erasure? But, said the noble lord, we know the information in the green bag, and are best able to judge of the propriety of the punishment. Was then the green bag infallible? Were charges of guilt to be considered as proofs of guilt? and, when these charges were withdrawn, was the degradation to be continued? The noble lord would punish without a trial, and retract the charge without retracting the sentence of degradation. He would put it to his hon. friend whether he would press his motion in such circumstances? A charge had been made against her majesty which could not be supported; and as circumstances had compelled ministers to retract the charge, it was just that the king in council should submit to the consequences of making that unfounded charge, and retract the degradation. As to the course of proceeding pursued regarding the queen, though he had given no advice to her majesty till she arrived in this country, he could not hear his hon. and learned friend censured in his absence without repelling the charge.

The noble lord had asked why the proposition received by his hon. friend on the 15th of April had not been delivered to her majesty sooner? He would ask, in return, what had ministers been doing during the time that intervened between the king's death and the 15th of April? Two months and a half had elapsed, and nothing had been done by them in consequence of the event that had occurred. Was it fitting that her majesty should have no notification of the death of the king, and of her accession by her new title, but by the degrading omission of her name in the Liturgy? The Milan board had made its report a year before the materials were prepared for the green bag, and was it possible to say that the erasure of her majesty's name in such circumstances was not intended as a stigma? If it was done in compliance with personal feeling, ministers should have had the courage to refuse the responsibility of an act which they did not approve. But what were the charges on which this act was justified? They consisted of *ex-parte* statements—of tales got from foreigners of whom the House knew nothing. The illustrious person accused had no opportunity of confronting her accusers. What right had any man to say that such charges amounted to any thing—that they involved any imputation? In proportion as the accusation was grave, should be the caution in entertaining it. What was her majesty's conduct in such circumstances? Did it evince any fear of the result? No. She came to face her enemies, and to dare them to the proof.

But the noble lord had intimated that the public would be shocked if government were to retract. Good God! was the public, ever since it was a public, ever so shocked as it was at the proceedings which he called upon ministers to retract? [Cheers]. But the charges! Where were the charges? He could see no charges; they were no where to be found, but in the green bag. Let them be brought forward, and they should be met and refuted. He was afraid that if they proceeded in one instance against illustrious persons, they might not stop with one. These charges had been collected about a-year ago in the north of Italy. They had slept during that interval, till they were laid on the table, in the green bag. They were not brought forward when her majesty was abroad—they were not brought forward when she was at St. Omer's. No; the crime was her coming to England. If she had lived abroad either as princess of Wales, or as queen of England, she might have conducted herself as she pleased, and there would have been no accusation. She might have wandered over the continent, and exhibited the disgrace of England in the sight of foreigners. She might have behaved like the most degraded of human beings; she might have done all that the wretches who now accused her laid to her charge, and nothing would have been alleged against her. But her coming to England was a crime which demanded instant inquiry and punishment. Too much, he thought, had been said with a view to show that her majesty had varied the basis, and departed from the terms of the negotiation; and this charge was the less becoming, as it came from those who had themselves departed altogether from that basis. But the queen had made a concession when she expressed her willingness to reside abroad, if such was the wish of parliament and of the people. There were some observations relating to the conduct of the queen herself, upon which he could not forbear offering a few remarks. She had acted in some cases where she could not have taken any advice—he alluded particularly to the step she had taken in coming to this country. At least he did not know who her advisers were; but if she had any, and whoever they were, they certainly did not stand so much in need of apology as those who had advised the king to a step which no one had as yet defended. The motion of his honourable friend might be a truism. The queen, in waving the right, might be waving nothing; but if she chose to pursue it who ought to give way—those who had done wrong in the first instance, or she who sought only to defend her honour and her character? He had heard with pain the threat thrown out by the noble lord opposite, that ministers would be acting basely if they voted for retractation. It was, he supposed, as much as to say, that if the matter came to that, they must resign. The question was, then, whether, for fear of that resignation, an unjust and ungenerous act was to be persevered in? The queen was ready to meet the charges against her. Of that readiness, and of her innocence, she had given the most decisive proof by her immediate appearance in England. This had been universally acknowledged; and, yet in the very same breath, she was praised for the boldness with which she had met her accusers, and advised to give up the rights for which she was contending. With reference to the transactions at St. Omer's, he thought—and he felt it most necessary to declare that opinion—he thought that the queen had been left without option—that she had at that time no choice but to subscribe to her own guilt, or at once to present herself in England. Whether it had been just to refuse her a yacht—to neglect her application for a residence—to leave her to find her way into the country in the manner in which she had been constrained to seek it—were questions of minor importance; but it was impossible not to contrast the reception of the queen in the year 1820 with her former reception in the year 1795. Far was it from him to condemn the sentiments with which the people had received her; they had done themselves immortal honour by giving her that reception to which an illustrious and a forlorn female was entitled at their hands; but he looked at the conduct of other parties—of those who had driven her to seek this country in a hired packet—to travel in a hired carriage—and to seek refuge in the house of a private individual, and who now imputed these acts to her as faults. If any thing could have added force to the claims of her high station, it was the consideration that she was soon to take the place of a person accused. So many discussions were likely to arise upon this question, that he knew not whether he was justified in dwelling any longer on the subject, or even in giving a vote on the present occasion. There were circumstances which certainly rendered it desirable that her majesty should not reside in this country. If a decent and respectful message had been sent to her at Milan, that message would have met a decent and a respectful answer. Whether lord Hutchinson was the agent of the government or not, it was difficult to ascertain. Whether he had any written instructions or not from any party, they were at a loss to understand, but unquestionably to the proposals of which lord Hutchinson had been the bearer there could be no answer but rejection. Her majesty had taken the proper course for innocence to adopt. She had defied her accusers to the proof, while she expressed herself willing to withdraw an object of strife from the country, provided her residence out of the country was not construed into a proof or admission of guilt; an understanding which could only be secured by placing her in the full possession of those legal rights which belonged to her, unless forfeited by guilt. He felt the great importance of the case on which he addressed them. He also felt his own incapacity to do justice to that case; but he spoke his sentiments as a member of that House—as an humble counsel on her majesty's behalf; and he left it to the House, as men of honour and as gentlemen, whether they could in justice, in fairness, or in humanity, call upon the weaker party to make the concession which was demanded from her.

Mr. *Bankes* hoped the prediction of the hon. and learned gentleman who had just sat down, that if his hon. friend's motion were agreed to, there would be more discussion on the subject, would be falsified. It was in this hope he was induced to rise and support the motion, and from a wish that this interposition on the part of the House of Commons might settle those differences which as yet could not be arranged either by letters or conferences.—He had heard the hon. and learned gentleman with great pleasure, but one observation suggested itself as arising out of his speech. He wondered the law advisers of the queen, had so long delayed to introduce the point of the Liturgy upon which the whole case seemed now to turn.—Why had not the House heard something before of the omission of her majesty's name? The hon. and learned gentleman said, that he had only recently become her majesty's adviser; but was not the hon. and learned gentleman in the last parliament, and had he not then opportunities enough of protesting against that measure which was now affirmed by him to be against law.—When the hon. and learned gentleman asserted that the omission of the queen's name, was made at the discretion of the privy council, the hon. gentleman must have forgotten the 13 and 14 of Charles 2nd. A noble lord seemed to be under some mistake, when he spoke of certain ministers of the church persevering in praying for the queen, upon conscientious grounds. He was at a loss to account for the scruples of these gentlemen. Their duty in this respect was partly defined by act of parliament, and with an instrument before their eyes, which left it in the discretion of the privy council and the king, whether or not the queen should be prayed for, it was a little too much for them to set up their private opinions against it, whatever they might be. Their politics seemed to be as much interested as their consciences, and he wished that all churchmen meddled less with such matters. He hoped, however, they would soon be better advised, and thereby avoid the pains and penalties to which he imagined they would be subjected. He was not sorry that this debate had brought the parties to issue; it showed all that the queen was inclined to concede, and all that was expected by the ministers of the Crown. The hon. and learned gentleman who spoke first seemed to have taken credit to himself for the accession of strength which her majesty's cause received since it had been debated in the first instance. For himself, he was not inclined to undervalue the case of the Crown, on account of its concessions; on the contrary, he thought these were thrown out in order to dispose the other side to meet them half way. In this sense he approved of them.—But he thought this part of the subject was unfairly dealt with by her majesty's friends, who insisted that she was to make no concessions, who complained that every thing was asked from her, and that she was helpless and forlorn.—Her friends, instead of conceding any thing, demanded that she should be restored to every thing, and by that means, as they said, be put into a situation to be tried more fairly. In what situation would ministers have been placed, if, with the charges against the queen which they had in their possession, they had suffered her name to remain in the Liturgy? He would ask any reasonable man how ministers could have vindicated themselves, either to the sovereign or to parliament, if they had come down to the House with the insertion of the queen's name in the Liturgy—the ink still wet in one hand, and the papers of accusation which they had received against her in the other? Of the contents of these papers he knew nothing; he hoped to know nothing of them; and as to their truth or falsehood would offer no opinion. The hon. and learned gentleman had fallen into an error, when he conceived that the motion before the House supposed no ground for charge against the queen. The motion most certainly assumed no such thing. For his part he knew nothing of the charges against her majesty, and he was equally unwilling to go into that discussion; but he could distinctly say that the motion neither affirmed nor denied them.—It purported to put her majesty precisely in that situation in which she would have been, if she had not taken the imprudent step of coming to this country. This proceeding, which he deplored, was productive of agitation in the minds of the people; and it was with a view to stem the progress of discussion and irritation upon the subject, in and out of doors, that the motion was framed. He therefore gave it his warmest support; and he was of opinion, that the advisers of her majesty did no benefit to her cause, by thus pressing for inquiry. He should like them better, if conciliation had been the word. To be sure, it was a proud feature in their case, that her majesty was ready, and challenged inquiry; but it was questionable how far this was politic at the present moment, and her friends seemed to be putting a bar in the way of conciliation by insisting on a certain point of mere etiquette as a *sine qua non*. It was an argument used by the hon. and learned gentleman that because the queen was weak and unprotected, every thing was to be assumed in her favour. This was an ingenious way of getting rid of the charge, it was putting her in a condition with the House, as if every step they took towards her was doing her a wrong. He thought this was going too far; her majesty was by no means that friendless being which she was represented, and in judging between two parties, the House should not be entirely swayed by such a consideration. The most extraordinary argument, however, which had been addressed to the House, was, that the insertion of her majesty's name in the Liturgy was matter of absolute law. If the fact were so, it was useless to argue either upon the fitness or the necessity of that measure, because there would be no discretion either in the Crown or in ministers. There was no occasion to prove that the queen's name ought not to be omitted, if in law it could not be omitted. The hon. gentleman would refer for a moment to the printed papers before the House. The basis of the conferences had been, that the queen, on her part, should admit nothing approaching to criminality; and that the king, on his part, should not be understood to retract any thing. The queen, however, was now raising a point which had not been introduced before, and which had been considered in the discussion of Feb. 21st, as a matter of indifference. He was far from thinking the Crown ought to make farther concessions. Did the House think that this was a time when the Crown should be lowered in dignity, or treated with disrespect? Did they see no signs in these times which should make them cautious how they adopted a course of proceeding that might be attended with such consequences? Perhaps there were some to whom these considerations were matters of indifference, but to him it appeared of the utmost moment, in times of difficulty to uphold the dignity of the Crown.

Mr. *Williams* said, he should state very shortly his reasons for the vote which he meant to give. In looking at the question, he thought the consideration of, how far the honour of one party would be committed, or how much the triumph of another would be magnified, should not be at all calculated. In this view, therefore, he saw no obstacle to ministers restoring the queen's name to the Liturgy. By the 13th and 14th of Charles 2nd, a particular form of prayer was pointed out to be used on all occasions, and he contended, that the clause which empowered the king and privy council to make the necessary alterations from time to time, referred only to the power of changing the name, as the title of any branch of the royal family might be altered, and did not extend to the power of exclusion altogether. He believed there was no precedent to prove the queen of England had ever been left out of the Liturgy. Having shown that in a legal construction of the act ministers were not warranted in leaving out her majesty's name, he next came to consider what possible injury could ensue from supplying the omission? It would satisfy her majesty's scruples, without derogating from the dignity of the monarch. He did not blame ministers for leaving the queen's name out of the Liturgy, for they did not know but it might be their duty to prefer charges against her. So far he gave them credit; but if the time had now arrived at which either policy or other motives prevented the prosecution of those intended charges, her majesty's full rights and privileges should be allowed her. It was some time since his intention to have brought forward a motion on this subject, and whatever delay might have occurred, no fault was imputable to him for it. He never wished to argue any question as a party man, but on its own merits, and on the latter principle he would vote for the amendment of the noble lord.

Sir *Francis Burdett* said, it was not his intention to go over any of those topics which had been urged by other hon. members with much greater ability than he possessed. It was his wish to approach this question with an unprejudiced mind; and, while he claimed justice for that party which stood most in need of justice, he was anxious not to say any thing that might be construed into a want of respect for the Crown on this very painful occasion. The hon. member for Bramber had, in his opinion, taken a very erroneous view of the question. That hon. member had declared that the House must either agree to his proposition, or to some other conciliatory resolution of a similar nature, or else go into the immediate consideration of the contents of the green bag. He dissented entirely from the hon. member for Bramber. So far was he from thinking that the House was reduced to such a dilemma, that it did not appear to him that there was any possibility, after all that had been said, even by his majesty's ministers themselves, that the House, consistently with a regard to its own character, to the dignity of the Crown, to the respect due to the family on the throne, and above all to the interests of the public, ever could consent that the green bag should be opened.

Much had been said on the subject of the omission of her majesty's name in the Liturgy. Whether or not the king had a legal right to order that omission was a question of inferior importance. The noble lord opposite had at one time declared that the omission was not intended as an indignity; but soon after he contended, that it was impossible not to omit her majesty's name in consequence of the evidence contained in the green bag;—evidence which, from all that he (sir F. Burdett) could hear, reflected infamy only on those who had lent an ear to it. On this vile and *ex-parte* evidence her majesty's name had been omitted in the Liturgy; and then the noble lord wondered that the queen, whose very name he had until of late not even ventured to pronounce, complained of such conduct. The noble lord, after admitting that what had been done was done to stigmatize her majesty, expressed his surprise that her majesty should come to this country to face her enemies, and that she would not yield that point—a point of honour, and which therefore she had better give up any thing than surrender. It appeared to him that the deeply culpable persons in this affair were his majesty's ministers, who had held out to her majesty a threat with one hand and a bribe with the other. That threat was one which, for aught her majesty knew, affected her life; for she could not be supposed acquainted with those nice technicalities of the law of which ministers were well aware, and which secured her from being prosecuted as a principal in treason. Under those circumstances, however, her majesty, like a woman of spirit and honour, above all money-dealing considerations (for ministers were prodigal enough to offer her every pecuniary temptation)—her majesty, in a manner so magnanimous that it must tend to raise her in the estimation of all men—in a manner which, however poisoned any one's mind might be against her, must (in the language of the hon. mover) tend to establish as strong a presumption of her innocence as the duke of Wellington had established of his valour—came over to this country, not supposing that she would here meet with a single supporter, and under imputations and circumstances that would have broken the heart of a woman of less spirit and fortitude.

The noble lord said that he had offered no bribe to her majesty. What did the noble lord mean by a bribe? Father Foigard in the Beaux Stratagem, when Gipsey puts it to him as a point of conscience, whether if she takes money for doing an act required of her, it will not look like a bribe? tells her, that if she takes it before she does that for which it is to be given, it will be *logicè* a bribe; but that if she postpones taking it until after the performance of the condition, that will make all the difference, for then it will be only a remuneration. To which Gipsey, unlike her majesty, replies, "she will take it *logicè*." In like manner ministers seemed to regard their offer of public money to the queen, in case her majesty agreed not to take it until she had complied with the terms proposed to her, not as *logicè* a bribe, but only as a remuneration. Her majesty, however, rejected the offer with disdain, and answered the threat held out to her in case she came to England by instantly coming. Immediately on her arrival the king's ministers, to make good their threat, advised his majesty to send a message, accompanied with a green bag, to both Houses of Parliament. If ministers, under all the circumstances of the case, had made up their minds to advise the king to pursue such a course—if dire necessity, on account of public interests, compelled, and therefore justified—and that alone could justify such a step being taken,—the same necessity rendered it equally impossible to retract, *vestigia nulla retrorsum.* There was no longer any room for pause or doubt—to pause was to betray; to doubt was to incur guilt. It was a career only to be entered like Dante's Hell, when all hope was abandoned. To hesitate was to confess an alternative; and where an alternative exists, there exists no necessity, and therefore no justification.

When all the events of the life of this unfortunate and high-minded lady were considered—when the circumstances which attended her first coming to this country were recollected—when it was remembered how she had been exposed, provoked, and irritated, by every description of insult and injury—deprived of her natural protectors—cut off from all the endearments of conjugal affection—bereft of all the benefits of that control so beneficial to women in wedded life—not permitted to hold communion with her own family—having all those feelings weakened or destroyed on which the moral sense so mainly depended—driven to despair and goaded almost to madness by this accumulation of miseries—if, under all these circumstances, her conduct had been such as was alleged against her, there was even then no man, possessed of generous feelings, who would not shed a tear over her misfortunes, or who would not shrink from pursuing her with the sword of vengeance, under the cloak of justice.

With regard to the king, he should speak with that respect for his majesty, which his situation demanded, and which he ever wished to entertain, and this he would venture, if it was not presumption, to say, that as far as he could form an opinion from the slight opportunities afforded him of personal knowledge of the king, he firmly believed that no man was by nature more unwarped and unperverted, more incapable of pursuing a vindictive and unfeeling line of conduct, which under the advice of his ministers, upon this occasion, he appeared to have held; advice, little calculated to sustain the dignity of his Crown, or to secure the affections of his subjects. Led as his majesty had no doubt been by his ministers, for his majesty, as well as for his unfortunate queen, there was a variety of excuses. Who could tell what tales had been poured into his majesty's ear? Who could tell what base pickthanks, and go-betweens had augmented every vile story, culled from sources as vile as those were who sought them. Who could tell how the king's judgment had been misled—how his feelings had been inflamed—how his passions had been awakened by such artifices. Under these circumstances, no wonder if, his reason obscured, and his vindictive feelings stimulated by those whose duty it was to guard him against such pernicious excitements, his majesty should have appeared to act as he had done.

But ministers! What excuse had they? what apology could they make for their conduct? what was there to deprive them of the calmness and discrimination of their judgment? If they saw base and infamous individuals surrounding his majesty, and endeavouring to poison his mind against his unhappy wife, they were bound by their oaths to give his majesty the advice which resulted from their cool and deliberate consideration. If they had failed to do so—if, instead of doing so, they had yielded to the artificially wickedly excited feelings of his majesty on the subject, they had proved themselves the worst of traitors. At any rate, it was clear that in any case they had not given his majesty wise, sound, faithful, or constitutional advice. If they had thought fit to advise his majesty to send down to parliament the royal message, and the green bag which accompanied it, they were bound to make up their minds to proceed with the consideration of the subject, in all its parts, without delay, whether the queen staid abroad or not. Whatever conduct she might have thought fit to pursue, their duty was to protect the interest of the public; and if on public grounds, as now pretended, the step was taken, it should have been followed by a steady and undeviating course. How different their conduct, they told the queen, that if she staid abroad she might disgrace herself, she might disgrace her husband, she might disgrace the country as much as she pleased. The public interest might, in that case shift for itself. They would even furnish her with the means of waste, profligacy, and riot. "Do not by your presence embarrass us," said the noble lord, "and, as honest men, we shall not think it necessary to bring down the green bag, but will moreover supply the means out of the exhausted pockets of the people, of supporting with splendor your disgraceful imperious and vicious, career. He hoped that, under these circumstances, the good sense of the House, and their common feelings of propriety and decency, would induce them to declare to ministers its determination, that their foul green bag should never be opened. On the very first night of debate on this subject —the moment that ministers paused and hesitated, and allowed that that which nothing but imperious necessity could have justified in submitting to the consideration of parliament was nevertherless a subject of negotiation —from that moment there was an end to their whole case, nothing remained.

The hon. member for Bramber, had declared—he (sir F. Burdett) did not know whether that hon. member was in the secrets of ministers or not—but the hon. member had declared, that the green bag contained such a disgusting collection of all abominable things, such horror, that if parliament allowed it to be opened, there was not a decent family in the country but would be shocked, or afraid to take up a newspaper, lest they should be encountered by the pernicious accounts which were there described—that it was so replete with tales of slander, with matter of crimination and recrimination, that it would pour forth such a deluge of filth and obscenity, as would be sufficient to pollute if not to destroy the morals of the country. He must confess that this description of the contents of the green bag, any more than permission to diffuse its impurity through the kingdom, did not appear to him the best possible means of supporting the dignity of the Crown, or of raising in the estimation of the people the character of the king, queen, or royal family, nor the most likely way of aiding the opinion of the hon. member for Corfe Castle, who had so strenuously urged the necessity of supporting, particularly at the present moment, the dignity of the royal family. But on the contrary, to him it appeared, that no person the most hostile to royalty, or the most disposed to bring into contempt regal government, could pursue a course better adapted to his purpose, and on which he might more confidently rely, and reasonably entertain little fear of the result. Yet such was the course which ministers had thought fit to adopt.

He would not, however, allow himself to believe in the accuracy of the statement made by the hon. member for Bamber, either with respect to crimination or recrimination. He believed, indeed, that the contents of the green bag were as false as they were filthy, and could every other man in the kingdom be made to believe so too, it were well for the royal family. But, whether false or true, it had been conceded by ministers in their support of the resolutions of the hon. member for Bramber, that it was not an unavoidable necessity, and, if not unavoidable, not a necessity that it should be opened. He had already observed, that if ministers could be justified for having laid that green bag on the table, they could not be justified in having listened for one moment to any proposition suspending the examination of its contents. Whether those contents were true or false, did not signify one straw in this view of the subject. Undoubtedly great mischief might result from investigating the contents of the green bag. But, whether true or false, those contents ought not to be investigated, because it could not be stated that any public interest was connected with the investigation. Ministers had shown, by their own conduct, that no public interest was connected with the investigation. This they had made manifest by their willingness to treat. He had a right, therefore, to assume that as a fact. He had a right to assume that all the filth contained in the green bag was raked together for the purpose of being held out *in terrorem*, to facilitate the attainment of the object which ministers had in contemplation—to keep the queen out of England. Therefore, supposing, for the sake of argument, every thing contained in this green bag (which, like Pandora's box, was fraught with every evil, without the alleviation of any hope at the bottom) were true — supposing ministers knew that every tittle of its contents were true—what ought they to have said? "We are sorry to hear it. Let us throw a veil over these circumstances, since no public interest requires their developement; and since it must be contrary to the public interest to promulgate stories reflecting directly on the character of a branch, and injurious to the whole, of the royal family." Such would have been the conduct of discreet and upright ministers, instead of threatening to publish a heap of trash, which, according to their own description of it, would make every modest woman in the country blush to read; and this to be inflicted on the country, unless the queen consented to give up her right to have her name inserted in the Liturgy!

The only way in which, under such circumstances, ministers could with propriety act, would be to adopt the noble lord's amendment. By doing so, they would show that they retracted. The queen cared for nothing else. She had no eye to pecuniary advantages. She would then say to them, "I have saved my honour, and you may keep your money in your pockets." But no. Ministers were not disposed to do any such thing. They were quite ready to grant her majesty money out of the pockets of the people; but then she must not live in England. On this, however, they might depend—that she would never consent to leave with disgrace a country in which she had been received with so much respect. Better would it be for her majesty that she should lose twenty lives, than give up one point of her honour. He was at a loss to conceive why ministers stuck so closely to this object. He really believed that the noble lord was sincere when he said that the prosecution of it gave him much pain. But what was the only course which an honest minister ought to have adopted under such circumstances? Would it not have been true wisdom and their duty to have expostulated with the king, and to have said —"If your majesty thinks it expedient to proceed in this business, it is my duty to tell you that I cannot consider it for your interest or your honour. I cannot aid in carrying into effect your majesty's purpose; therefore, if your majesty has unalterably determined on such a course, I beg leave to tender my resignation?" Had ministers been honest men, such was the course they would have adopted, instead of allowing his majesty to enter, with their consent, on a career more dangerous than any which had been pursued by any king of England since the Revolution of 1688—a career calculated to bring hatred and contempt on the whole system of government, and which is, as they themselves agree, "derogatory to the interests of the Crown, and injurious to the interests of the public." At least, it might have been expected, that ministers should have shown something of the firmness and constancy which her majesty had manifested. After having screwed up their minds to advise the king to institute such a proceeding, they should equally have screwed up their minds to go through with it. They should have risked their heads upon the issue. No consideration should have induced them to admit of a moment's delay. Necessity, the tyrant's plea, was theirs; it allowed of no compromise. They had commenced a course which might bear the inscription on Dante's hell: "Who enters here leaves hope behind."

The difficulty now, however, appeared to be how to get rid of the green bag, which had been so precipitately produced. This was similar to the difficulty experienced in the duke of Buckingham's "Rehearsal" in getting some of the performers off the stage, who had very easily got on it; till at last, out of all patience, the manager says—"Go off kneeling, or any how—only get off. Ministers had tied the bag round the necks of the House, and did not well know how to remove it. In vain did they come down and talk of their honour and consistency, when it was evident from the disposition they evinced to compromise the matter, that the green bag ought never to have made its appearance. He owned that he felt some difficulty—some parliamentary difficulty—himself about the question. The fact was, that this was altogether an extraordinary proceeding. It was first understood that the hon. member for Bramber intended to propose an address to the king and queen jointly. For his part, as his majesty's minister's stomachs had been brought down to recognise this illustrious lady's right to the title of queen, he did not see why they should object to the re-instatement of her name in the Liturgy, which was a trifle compared with their full and complete recognition of her majesty's rank and title; especially as the noble lord asserted, that the omission was not intended to degrade her majesty, although he afterwards allowed that it was not accidental, and therefore that it was put on her as an insult. Still he (sir F. Burdett) admitted, that there was a technical difficulty in the affair. The House had got into an unparliamentary course. The object of the hon. member for Bramber's motion, was to pay respect and homage to the queen. Was it too much, then, to ask his majesty's ministers, who supported the hon. member in his object, not to continue to affix any stigma on her majesty? To pay respect and homage to the queen was incompatible with retaining the green bag on the table. Either the green bag or the hon. gentleman's motion must be withdrawn. How any man could support the green bag with one hand, and the hon. gentleman's motion with the other, was, he owned beyond his comprehension. He should certainly vote for the noble lord's amendment. But, if that should be rejected, he should not oppose the hon. member's resolution; not because he entirely approved of it, but because something would be gained by its adoption.

But the hon. member for Bramber had not stated what was to be done with the resolution in the event of its adoption by the House. How was it to get out of their walls? How was this resolution,—which first supposed guilt, and presently declared that there was no guilt, and which, in this respect like all the other proceedings on the subject, was not analogous to any parliamentary measure that had ever before been adopted—how was this resolution to reach her majesty? The hon. gentleman, had, perhaps not made up his mind on the subject, and would require a day's delay for consideration. What was to be done with it? Was the Speaker to be instructed to accompany his majesty's ministers, and to go up with it to the queen to No. 22 Portman-street, where he believed her majesty now resided? In what way the resolution was to be disposed of he knew not; but he would take no technical objection to it; for it was a harmless measure, and at all events another acknowledgment of her majesty's right to the rank and title of queen, and *pro tanto* evidence against the green bag.

But there was another consideration which it was somewhat worth the while of the House to attend to—its own dignity. Suppose her majesty should not receive the resolution; or, suppose receiving it, she should not comply with the wish expressed in it. The fact was, that her majesty could not comply with that wish. That her majesty was anxious to do all that the House of Commons might justly require of her she had sufficiently manifested. By coming to this country she had put her fortunes—she had put, for aught she knew, her life into their hands. She had shown her respect for the House of Commons, and her generous confidence in the people of England; trusting only to her innocence and her courage. But, anxious as she was to do all that was due from her to the House of Commons and to the king, she might nevertheless exclaim in the words of the gallant Douglas:

"To the liege lord of my dear native land
I owe a subject's homage; yet even him
And his high arbitration I'd regret.
Within my bosom dwells another lord—
Honour—sole judge and umpire of itself!"

Her honour the queen must defend; and yet it was her honour which the House called upon her to relinquish. Take her allowance; take any thing from her but her honour, that she could not part with. And for what purpose was the House required to ask of her majesty the sacrifice of her honour? To enable ministers to slink off with their green bag—what to do with it he knew not. According to the description which had been given of it, it was unfit for the House to keep—it was unfit for the country to become acquainted with—he hardly knew how to name any place, for which a thing described as being so filthy was fit.

There were so few points of this interesting question which had not already been noticed in the debate, that he ought to apologize to the House for trespassing so long upon its patience. He wished, however, to state explicitly the reasons by which he supported his vote, and to explain clearly his particular view of the question. He begged also to protest against being hung on one or other of the horns of the hon. member for Bramber's dilemma, and to deny that he must either support the motion or consent to an inquiry into the foul contents of the green bag. He might reject the motion and the green bag too, by adopting the amendment; or he might reject both without any amendment. There was no necessity in the case—no necessary connection between rejecting the one and adopting the other. As to opening the green bag, to that he would never consent. He protested against it in the name of the king; he protested against such a step in the name of the queen—he protested against such a step in the name of the parliament—he protested against such a step in the name of the country. For even were the charges true which that green bag contained—even were they not such a collection of sordid filth as had been represented, and which he in his conscience believed them to be, still they ought never to have been brought to that House. Ministers must necessarily be much better acquainted with the merits of the case than that House could be. Ministers must have a great deal of knowledge upon the subject which no one else could possess, which even the green bag itself could not contain, and which rendered it highly improper that any proceeding should be founded on the green bag alone. He would go further and say, that if ministers had had a case as free from, as it was replete with, objection, they would have ruined the fairest case by the foulness of the process. If ministers gave credit to their description of the contents of the green bag—if they thought that those contents afforded a fair ground for prosecution, they were, by acquiescing in the resolution proposed by the hon. member for Bramber, guilty of an offence, or of that which, in an ordinary case, would be a legal offence, for their conduct would be tantamount to "compounding of crime." To compound felony, that is, to make a compromise with the offender, though to get back your own property, was an offence by statute; but here were ministers prepared to compound high treason—to compound an offence which, according to their own statement, involved the dearest interests of the country, which dearest interests, however, they were willing enough to sacrifice, and the public purse into the bargain, provided the offender would agree to their terms. Had the queen been a woman of less nerve and resolution — had she not possessed ten times the nerve and resolution of the king's ministers—she would have accepted the proffered compromise; aye, and that too without a shadow of guilt, or being justly liable to any unfavourable imputation upon her character. Well might she have shrunk, however innocent, from such an odious and unfair prosecution. In many instances, the experience of common life exhibited the success with which extortion was practised upon the timid. There were many wretches who lived by alarming honourable persons with false and infamous accusations. He himself had known a man, as honest as ever lived, and as innocent as a child, who had been thus laid under contribution because he had not the courage to face the imputations by which his unsullied name was threatened. This detestable conduct of the basest miscreants was the model which the king's ministers had descended to copy on the present occasion. It would have been no wonder, therefore, if the queen had, as she well might and blamelessly, have shrunk from the contamination of such an accusation as that with which she was menaced. She, however, disdained all compromise, and, with a truly magnanimous spirit, exclaimed, "Proceed. Wreak on me your vengeance. Wreak on me your malice. Bespatter me with the vile filth you have collected from the vilest of sources. I will endure it all, sooner than be a party to compromise my own honour, and proudly retort in defiance your charges upon yourself. You have either listened to false and scandalous stories, to which you ought to have turned a deaf ear, or you have entered into a wicked, malicious, and unnatural conspiracy, against my life and honour, and for which you will deserve to die. In either case, I scorn and defy you."

This was the fair interpretation of the queen's conduct. She seeks no commiseration, great as have been her afflictions. She asks no forbearance, much as she is entitled to it. She demands simply justice. The king does the same: both stand prepared for the event. If sycophants have been busy about the king, have perverted his honourable feelings and warped his natural disposition; — if they have been instrumental in blinding him to a due regard of his own dignity and that of his family, as well as to his own and the public interests, he (sir F. Burdett) would say, as a member of parliament, that it became the duty of the House to interfere, and by interposing its advice, to put a stop to such dangerous proceedings. The king demanded inquiry. The queen declared her anxiety to meet the charges preferred against her. Both parties were armed for the combat. They were animated by mutual hostility; without reflection, that neither could inflict a wound on the other, which would not recoil upon himself. And that the probable issue was mutual destruction, and the inevitable result mischief to each other, and injury to the public. Parliament, therefore, would not allow of such a contest. Its duty impelled it to interpose.

What did ministers mean? What possible good could they do by degrading their queen? What benefit could the public derive from it? Whereas the attempt, whether successful or not, was a public misfortune. The question might soon take a different turn. Soon might ministers be called upon to answer for the manner in which, as privy counsellors, they had acceded to a measure as declared by the House of Commons, and assented to by themselves, "derogatory to the dignity of the Crown, and injurious to the best interests of the public." It might then, perhaps, be discovered, that they had sacrificed both to their own mean selfish views. The conduct of the king might be apologized, at least accounted for, and would so far appear capable of justification—that it had been consistent and uniform throughout. Besides, who can tell how many excusable causes may be with truth alleged in defence of the king? Who can tell how his ear has been poisoned by base pick-thanks and officious tale-bearers, administering with servile flattery to a distempered mind—who would not be very nice in inquiring into the truth of accusations, when they found accusations greedily devoured by a diseased appetite, to satisfy which promoted their own interested speculations. Fatal and strong impressions appear to have been made, and unbecoming irritation excited in the breast of the king. Under these impressions he had acted, with consistency at least, if not with cool consideration. His majesty had invariably declared his determination to have the matter brought to the lamentable crisis at which it had at length arrived to this consummation so undevoutly to be wished. In effecting this, he had been actuated by the angry passions, and had acted like an angry man, whose judgment was obscured and reason overcome; and the failings of human nature may be offered as an excuse. But for ministers there was no such apology. Their conduct could admit of no palliation. Their acquiescence was dishonest, and they must be aware of it. For even if the charges against the queen were true, it was the duty of ministers to have exerted every means in their power to prevent an exposure, and to have endeavoured to cast a veil over misconduct, the greatest evil of which—and the only evil as far as the public were concerned—was the placing it before the eye of the public. And nothing less than imperious necessity—some great and important interest of the community could render a different course in any way excusable. Had such been the case, they should have produced their charges at once, in an open, fair, constitutional, and legal manner. Compromise in such a case was treason. What! compromise the interests of the country, the dignity of the Crown, and their own duty to both! Impossible. And yet, upon their own showing, such had been their conduct. How different the conduct of the calumniated people! The people, who were perpetually in that House reproached with a fondness for seeing their superiors in rank vilified and degraded.—But the people—the much abused, long-suffering, ill-treated, good natured people of England did, on the present, as on all former occasions, falsify the statements of their hireling accusers, and prove by their actions, how greatly their disposition was mistaken or belied. He thanked God that the people, in spite of all their inflictions, still retained, with undiminished ardour, their ancient love of justice and fair dealing. This was their characteristic feature still as in former times. And this it was that made him still not despair of his country.

They had evinced a sensibility—a regard and attachment to the queen under her present distressing situation, which, except for that, nothing else could probably exist. Had the queen not been treated with contumely and injustice, and had she not shown under so severe a trial, such magnanimity and courage; had she but met with decent treatment and fair play, she might have traversed the whole kingdom, in any or every direction, without any such manifestation in her favour, beyond the common respect due to her rank, which would, however, have been trifling, unless also thought due to her character. But when they saw her stand in need of protection—when they considered her sex, her misfortunes, her unworthy treatment, the power and malignity of her enemies—then the generosity of their nature was called forth—then vows were made in her favour, and services attempted to be rendered. Does this show a disposition in the people to run down high-titled dignity—to disregard the claims of birth and station—a sordid inclination to take advantage of and trample upon their superiors in rank? And by so acting, and so endeavouring, and so hoping that the queen of England should not be disgraced, are they or the ministers best supporting the dignity of the Crown and the interest of the family on the throne?

It might, moreover, be safely asserted, that had ministers not heaped upon the queen's head insult upon insult—had they not exposed her to galling contempt even from their diplomatic understrappers—had they not studiously tormented her, and exposed her to every indignity wherever she went, they would probably never have been driven to their present state of embarrassment. Now I beg to ask them, putting every other consideration aside, where was the discretion, the common sense—where the policy of this? What end could it answer, thus to provoke, and at least one may say, to compel the queen to come over to this country, and having done so, to try to enter into treaty to offer apology, accommodation, and the money of the people to get her out again, and finally upon her refusal, to resort to a foul accusation? If she could remain abroad without being charged with crimes, why not at home? But no: somehow or other she must be got rid of—as if she could not breath without danger of infection, the same atmosphere with ourselves. Yet this ministers had brought upon themselves. For had she not been thus persecuted, she would probably have remained abroad, and never have given them the least trouble.

But why surround her with spies? Why employ pick-thanks and picklocks to filch out secrets which, when discovered, had better been buried in oblivion; to rake up filth for the sole intelligible purpose of doing a mischief to the queen, though at the risk of derogating from the dignity of the Crown, and, what is far more important, contaminating and polluting the morals of the country? If it were true the queen had led, or was leading, so abandoned a life, why not allow her to remain where she was? Why not allow vice to lay hid in obscurity? There was neither common sense nor common honesty either in dragging it forth unnecessarily to light—to shock public delicacy and moral feeling, or in offering the people's money to feed and pamper its depravity—nor in making such charges and showing a willingness to retract. Ministers had given up one point after another. They had at length acknowledged her. There remained then nothing but to restore the queen's name to the Liturgy, from which they had no right to exclude it. It was by law directed to be inserted as much as the king's. This absurd and illegal exclusion they would not relinquish. They still upheld this subject of contention. They still preserved this point of etiquette, and allowed this apple of discord to remain to "fright the Isle from its propriety," and to put a stop to the whole business of the nation, which was absolutely at a stand, and must so continue until we come to an end of these unfortunate discussions. The first error of ministers was, their base compliance with wishes which they ought to have controlled. Anxious to avoid the responsibility which they had incurred, they came down to the House of Commons for advice, in order, if possible, to drag the House into the mine with themselves. That step once taken, it was impossible to retread it. Alarmed at what they had done, when they were put to the test, and when nothing on earth ought to have induced them to change their determination, they hesitated, and expressed a disposition to compromise. How different this from the energy and decision of the queen! She was, indeed, a most unfortunate lady. Things the most opposite in nature seem to unite and to conspire against her. Part of the administration profess hostility to her for her vices; another part (although the noble lord and his right hon. colleague were sitting at that moment like sworn brothers—together "cheek-by-jowl"), yet the one supported the proceedings against her for her vices, the other for her great and good qualifications. So that, poor lady, her virtues were but as holy traitors to her. The right hon. gentleman opposite (Mr. Canning) had expatiated on her amiable disposition, her fascinating manners, on the kindness and generosity of her heart. He talked even of his "ardent affection" for her majesty; but of that "ardent affection," and admiration, and devotion, the right hon. gentleman had certainly given the strangest proof that ever was offered by man of his affection for woman. He proved his sincerity by joining the band of her calumniators and persecutors. The right hon. gentleman must of course be acquainted with all the infamous charges which had been crammed into the green bag; and yet, after having been a party to laying that bag on the table, he came down to the House, and affected to talk of her majesty as "the life, grace, and ornament of polished society." According to the right hon. gentleman her majesty's very virtues rendered it unsafe for ministers to allow her to remain in England. "Faction", said the right hon. gentleman had "marked her for its own." This coming from such a quarter is not a little curious, not the least curious, of the many curious circumstances attending this very curious affair. For pray mark! The only faction that had acted in this unprincipled manner—the only faction that had endeavoured to make use of the queen as an instrument to work its selfish purposes with—was the faction of the right hon. gentleman himself. His faction, with the late Mr. Perceval at the head of it, had indeed made use of her majesty, then princess of Wales, with great dexterity and effect: and so far, indeed, the apprehension that the same instrument might be used against him was perfectly natural; he well might lodge a fear that an instrument so effectual in the hands of himself and friends, might possibly be wielded by other hands against him and them with similar success. At that period her majesty, then princess of Wales, was the instrument which they employed, and powerfully employed, against the prince her husband, now king. And who could tell whether the alienated mind of the king at this time, was not to be attributed to the use then made by an unprincipled faction of the situation of the then princess of Wales? Who could tell whether these present deplorable difficulties and dangers were not the necessary, certain natural consequences of the factious proceedings of the right hon. gentleman and his colleagues at that time; at that time too, the princess of Wales was equally unfortunate as the queen now; for that faction, after having made use of her as their instrument, having thereby obtained its selfish and base ends, having thus basely made use of her royal highness, as basely deserted her? The right hon. gentleman, therefore, was excusable in his jealousy of the advantages to be obtained by faction, by adopting similar means for similar ends. It was natural he should be apprehensive others might follow so successful, not illustrious, an example. And this would account for his great anxiety, notwithstanding his ardent affection for her majesty, and on account of her admirable virtues some how or other to get rid of her. But, however desirable and natural it might be for the right hon. gentleman to be relieved from the fear he entertained of her majesty on account of her virtues, yet the mode of effecting it was such as he still must wonder at the right hon. gentleman's being able, great as his talents were, to reconcile to his feelings. If it had been proposed to her majesty, and she could have been induced to leave the country upon charges retracted, and character unstained, accompanied with all becoming ceremony, and all the honours of war, it would have been different. That the right hon. gentleman should have been willing to co-operate for such a purpose he could understand; but to be aiding and abetting the endeavours of those whose object is, to drive her majesty from England, and to send her to the continent covered with the filthy contents of the green bag, or blushed by the threat of its being cast upon her unless she departed, was surely a line of conduct irreconcilable with every notion that can be entertained of any person filling the station in society of the right hon. gentleman.

But that which most astonished him was, that ministers appeared to be so little acquainted with or so totally regardless of the feelings of the people, to know so little the tone, temper, disposition, and habits of the country. They ought to know, that if they had any charges to bring against her majesty which would bear the test of examination that this was not the way in which they could be produced with any chance of obtaining credit with the public—they ought to know that if her majesty were dyed in guilt as deep as scarlet—as deep as her enemies have ventured to represent her, the people of England would believe her white and spotless as snow. No gentleman, even if he thought his wife guilty, would suffer her to be treated as the queen had been. He conscientiously believed that the only difficulty in which ministers now found themselves involved was as to the way of escaping with the green bag; but as that was their affair, and not his, he left them to get out of the matter as well as they could. His principal object in addressing the House had been to protest against the existence of the dilemma described by the hon. member for Bramber—that the House must either consent to his motion, or open the green bag. From the mouth of that bag it was the interest of all parties that the seal should never be taken.—[The hon. baronet sat down, amidst loud cheers from all parts of the House.]

Mr. *Canning* began by declaring that, however much provoked by the speech which had been just delivered, he should abstain on the present occasion from entering into the lists with the hon. baronet, more out of respect to the real subject matter of the debate, which he thought ought not to be mixed with topics of personal vituperation and party invective, than (as he hoped the House would do him the justice to acknowledge) from any habitual indisposition to accept a challenge in debate when charged with want of principle, or with inconsistency of practice. He felt it his duty to recall the attention of the House to the much more interesting considerations involved in the motion before them.

The object of that motion was, to endeavour to avert an inquiry which, however loudly it appeared to be demanded by some of the parties interested in it, was as loudly deprecated by the great body of that House, and by the great body of the country. What might have been the conduct of his majesty's ministers in bringing forward the papers which contained the charges that were to be made the ground of inquiry—what had been the principle of their proceedings—whether they had been actuated by base motives—by personal hostility to the queen herself, or by a wish to steal a vote from the House of Commons which might confirm them in royal favour and enable them to retain their places—all these were questions which the House were now informed they would have an opportunity, at no very distant period, of discussing. Come those questions when they might, his majesty's ministers, whether as a body or individually would be fully prepared to meet them; and if, upon the present occasion, they postponed their own justification to the discussion of topics of greater importance, they did but make the same sort of sacrifice which was exacted from the other more illustrious parties in this case, when they were required to submit their private grievances and feelings to the pressing sense of public duty. He trusted, therefore, that he should easily obtain credit from the House when he declared that it was not from any want of readiness to meet the charges and insinuations which had been preferred—nor from the nature of the topics that had been employed in preferring them, nor from the vehemence with which those topics had been argued—nor from any exaggerated feeling of respect for the quarter whence they proceeded—that he should decline at the present time entering into the justification of his colleagues and himself. Whatever might be the fate of that night's question, ample opportunities for such justification would occur; and whenever they did so, he should be quite ready to meet with arms, he hoped, of as keen temper as any that had been or could be wielded against him, with denial, and defiance, with vindication and retort, the most boisterous accuser, or the loudest cheerer who had raised his voice on the present occasion. But he felt it to be now his duty—a duty paramount to all party or personal considerations—to endeavour to recall the attention of the House from the vague and useless excursion into which they had been led away, to the question immediately before the House; and to urge them to direct their whole and undivided attention to a proposition, on the result of which so many individuals concurred in considering the peace, happiness, and moral feeling of the people of this country to be mainly concerned.

He knew it would be said, "If that be the feeling which you acknowledge to be generally entertained with respect to the result of an inquiry, in God's name why is the inquiry called for?" His answer was, that his majesty's ministers were forced into it. He would tell the right hon. gentleman (Mr. Tierney) who had followed him in debate the other evening, and whom therefore he was not at liberty at the time to answer, what he meant by saying that his majesty's ministers were forced into the step which they had taken. "Who forced you?" was the question of the right hon. gentleman. He (Mr. C.) answered — Those weak and dangerous advisers who, in an ill-fated hour, had induced her majesty to return to this country. And why so? Was it because her majesty's person was odious to individuals, or the government? Was her arrival in England a crime? and was the measure adopted upon her arrival, adopted as a punishment? No. But by coming over to England, the queen had at once brought to issue a question, the discussion of which the government would gladly have avoided. And what was that question? Why, no other than this—What was the precise situation in the kingdom which her majesty was to occupy? Why—where was the difficulty? The difficulty lay in the charges now upon the table; not in the production of them, but in their existence. In alluding to these charges, he meant to say no more than that they were charges: he meant not to utter a single syllable from which any inference might be drawn as to his opinion of the validity or amount of those charges. But, such as they were, they were brought within the knowledge and under the eye of his majesty's government. It was one thing to have exercised a discretion—and he would term it a sound discretion—in determining that so long as the question of her majesty's claim to be received into all the privileges of her high station was not brought practically to issue, none of the transactions, the rumours, the calumnies (if you please) which the hon. baronet had so lavishly recapitulated, and dwelt and commented upon with so disgusting a minuteness, should induce his majesty's government to originate the agitation of that question. Such had been the determination of ministers, and upon that determination they had acted as long as they were enabled to do so. But, it should be recollected, that his majesty's government were not the only parties upon whom the agitation of this question depended. It was in the power of the illustrious personage herself to bring it to issue by demanding inquiry. She did so; and after that his majesty's government had no choice. There could be no desire—desire! how could he let slip such a word, or how suppose it could be imagined by the most perverse and malignant of human imaginations, that there should be in the mind, he would not say of any honourable man, but of any being with the feelings of man, any desire but that inquiry should be avoided? If any choice had been left to his majesty's ministers, any chance of forbearance which they had not tried, any hope of compromise which they had not explored and exhausted, he should have considered their conduct most unwarrantable. But in this respect he could say boldly for his colleagues what he had said for himself, that every personal and private feeling conspired with their sense of public duty, to seek for all practicable means of abstaining from any proceeding in this case. But they had no escape. The sounder advice of her majesty's acknowledged legal advisers was overborne;—that illustrious personage was persuaded to return to this country, and his majesty's ministers were left without an option.

The hon. baronet had thought proper to describe the language in which he (Mr. Canning) had spoken of that illustrious personage on a recent occasion as extravagant, and as inconsistent with his conduct. If that language had procured him any credit with the House for sincerity, he hoped he might be believed, when in the same spirit of sincerity, he professed that he thought it in no degree inconsistent with the strongest feelings (if the hon. baronet would permit him to use that expression) the strongest private feelings of admiration and regard for any individual, whose conduct might, whether justly or not, have become subject to suspicion—for any person holding public situation, and having public duties to discharge, to determine that he would use every effort to prevent any proceedings tending to bring that conduct into question, unless a step should be taken on the part of the suspected individual, which would render such proceedings inevitable,—and yet to be unable to resist the consequences of such a step once taken. Unfortunately, most unfortunately, in this case, such a step had been taken! Would to God, he could have dissuaded it! But, once taken, there was no alternative: the suspicions which before might have been left uninvestigated, must now be, and God grant they might be, disproved! To the courage which her majesty had evinced in coming back to this country, with a full knowledge of what the consequences must be of such a step, he did full justice. Happy if that display of courage should prove the prelude to complete vindication!

With respect to the conduct of the negotiation at St. Omer's, it was not his intention to impute blame to any one. A time might arrive when a minute explanation of all the circumstances of that transaction might become necessary: at present he would merely repeat the declaration which he had previously made, that the honourable and learned gentleman opposite (Mr. Brougham) was the bearer of the only proposition which was intended to be conveyed to her majesty. There had been an intimation confided to the noble lord, by whom the hon. and learned gentleman had been accompanied, that her majesty's coming over to this country would at once terminate all negotiation. This intimation had been so confided to the noble lord at the suggestion of the hon. and learned gentleman himself; and on this fair ground, that if it were attached to the proposition of which the hon. and learned gentleman was the bearer, it would have too much the air of a menace. The noble lord had not even been furnished with a copy of the memorandum of the official proposition; of which the hon. and learned gentleman was exclusively in possession. The noble lord was charged with the intimation which he had described, only to be used should the queen express her determination to return to England. This he had said in the way of explanation upon a point which had been much misunderstood. If there were other points connected with the subject, upon which any explanation was required, he should be equally ready to give it.

But the interest of the negotiation at St. Omer's was now swallowed up in the greater importance of that which had recently been carried on in London. Amidst all the details of that last negotiation which had been now laid before the House, was there the slightest ground for any charge against his majesty's ministers of having evinced any disposition to lend themselves to widen the unfortunate differences, or to conduct themselves towards the queen with any other feelings than those of moderation and forbearance? It had been observed, indeed, that the terms proposed to be granted to her majesty, did not include every object of her wishes. To be sure they did not. Who ever heard or thought before, that a compromise implied a triumph. Did not the very word compromise imply the contrary? Was it not always understood, that in effecting a compromise, the persons deputed on each side were virtually empowered to make a reasonable deduction from the claims of the one party and of the other, with the view of obtaining an adjustment, fair in the opinion of the umpires, although not completely satisfactory to the wishes of either of the parties? As to the proposition for restoring her majesty's name to the liturgy, it was one which could not be assented to by his majesty's government, as might have been inferred from the basis on which it had originally been proposed to treat,—namely, that the accused party "should not be required to admit, nor the accusing party to retract any thing." This basis had been laid down in the hope, that by thus saving the point of honour on both sides, an arrangement might at length be effected, satisfactory to both parties in point of form, and in substance satisfactory, if not to them, to the House of Commons. That House had constituted itself the umpire between the parties; and it was for that House, and not for the partizans of either conflicting party, to judge whether the arrangement proposed was such as ought to bind both parties, and whether it was not the more satisfactory and the more just, precisely because it did not give a triumph to either.

Having agreed in the outset of the negotiation, that no admission on the one hand or retractation on the other should be required, how happened it that the legal advisers of her majesty did nevertheless, in the very first conference, and to the great astonishment of those to whom his majesty's interests were confided, require that the king should retract a public act, which, had it been considered by them (as it was now attempted to be represented) as a bar to all treaty, ought to have been mentioned as such in the first instance? Now, it seemed, this—being the only point not gained, was the only point thought at all desirable;—and the basis being laid down, that there should be no retractation, and this being in truth the only act done, it was now found to be indispensable that this act should be retracted. Thus, no sooner was the first conference held, than the basis so solemnly settled in the previous notes, was set aside by the queen's legal advisers, and the acknowledgment was required of a principle directly in contradiction to that basis. "Nothing shall be required to be retracted," said the basis:—"retract, or we will treat no more," said her majesty's legal advisers. Was that fair? Was that consistent? Would his majesty's ministers have been justified in conceding a point, upon the assumed and understood settlement of which the whole negotiation had proceeded? As to the charge so often refuted, but again revived of their having offended the queen by an offer of money,—could so shallow a sophistry any longer deceive any one who did not wish to be deceived? Was not her majesty entitled by law to a settlement of 50,000*l.* on the death of the prince of Wales? Had not a bill been introduced into that House in 1814 to give her majesty this exact allowance of 50,000*l.* a year? But the question in the late negotiation with regard to the queen's income did not originate with government. It was introduced by her majesty's legal advisers themselves, who stated that the points to be settled were residence, patronage, and *income.* If those points had been alluded to specially, it was their own specification. In the first oral conference, however, it came out that that which was to be preferred to residence, patronage, or income, was the introduction of her majesty's name in the Liturgy.—Exaggeration was undoubtedly a favourite figure in that House, but, he confessed, he never recollected an instance in which it had been carried to so great a height as in describing the importance to her majesty of restoring her name to the Liturgy. He never recollected such an attempt to press sacred topics to the aid of topics merely human before. If, however, the matter was of such importance, not merely in a worldly but in a religious sense, what was to be thought of those negotiators for the queen who, when coolly enumerating the objects most essential to be settled in negotiation, lost sight altogether of this half-divine consideration, or at least postponed it to the purely mortal considerations of residence, patronage, and income?—nay, when they did at length introduce this awful, heavenly point of exclusion from the ceremonial of the church into discussion, did they even talk of it as essential and indispensable? as that, without which nothing earthly was worth having, and for which nothing earthly could compensate? Nothing like it. They introduced it at last as a matter for commutation for an equivalent. They were equally ready to take it in kind, or in value. The privilege in question (if the House was to credit the glowing representations of to-night), was nothing less than that of ascending on the orisons of millions to the presence of the great Creator. But this celestial privilege admitted, it seemed, of compensation; nay, not only compensation, but, irreverent as it might seem, of an equivalent! And what was this equivalent? Ludicrous as it might sound,—the introduction of her majesty to any one petty court in Germany; to the court of any one of the Landgraves, or Margraves, or Rhingraves; whose territory extended three miles on each side of the turnpike road, and whose quota to the military defence of the Germanic body was two whiskered grenadiers, one corporal, and a fraction of a drummer! an introduction, such as this, to the drawing room of Kniphausen, Sonderhausen, or Hohenzollern-Hechingen—would be, in the recorded opinion of her majesty's legal advisers, an equivalent—for what was in the same breath represented as a spiritual right, a celestial aspiration of the highest order! —It was surely unnecessary to dwell longer on so palpable an inconsistency. It must be unnecessary to detain the House with commenting on the grossness of this attempt to impose upon their best feelings. The plain truth was, that this point of the omission of her majesty's name in the Liturgy, had been seized upon only because it was the single act which had been done, and the single act therefore that could be retracted. It was of little importance in itself; but it was of much importance as calculated to inflict humiliation in the concession of it, and to give triumph in the attainment. Therefore it had been insisted on. That concession he, for one, could not advise. If the House thought that the name of the queen ought at once to be inserted in the Liturgy, they would pronounce their opinion accordingly; but if it were required that his majesty should be advised to retract his decision in that respect, other advisers must be found than himself and those by whom he was surrounded. And this opinion he would be willing to maintain simply on the ground already stated, that the basis of the negotiation excluded retractation; and that it was one, therefore, which the negotiators had no right to require.—But he denied that in the substance of the omission there was any thing of the nature apprehended. If, indeed, other names had been inserted in the "prayer for the royal family"—if the name of the duke of York, for instance, the heir presumptive, had been inserted, then indeed there might have been something disparaging in the omission. But from the absence of all specification, there was no such inference to be drawn. It was, as he had before described it,—and as it had been justly described by others whom he could name, before it was thought expedient to exaggerate the matter into such importance, —a measure purely neutral. Nor could there be any doubt as to the competency of the authority by which it had been ordained. When it was shown that the late duke of Cumberland in one reign was included in the Liturgy, and was excluded from it in the next, was it not clear that the admission or exclusion was not a matter of law, but simply one of discretion? The power of George 1st to exclude his queen from the Liturgy had never been questioned; although her son, afterwards George 2nd, unquestionably believed his mother to be an innocent and injured woman. He did not, however, adduce this precedent to prove that her present majesty ought also to be excluded; but only to prove, beyond the possibility of contradiction, that it was a question, not of law, but of discretion. Nothing, indeed, could be less consistent than the course taken by the hon. gentlemen opposite on this question, who at the same time that they insisted upon the insertion of her majesty's name in the Liturgy as a matter of law and strict right, were willing to take it as a concession. If, as those hon. gentlemen contended, the omission was illegal, the abandonment of it could not be called a concession; and in exact proportion as her majesty was entitled to be prayed for, without any reference to conduct, the concession of that privilege became valueless for the vindication of her character. Upon the whole he protested that if it had been referred to him as an arbitrator, to settle the points in dispute with an even hand between the illustrious parties concerned, he knew not what settlement he could have awarded more equitable than that proposed — a settlement which, as he had already stated, could not, from the very nature of the transaction, be exclusively favourable to one side only, but which if in any degree partial, inclined (as it was proper that it should do) in favour of the weaker side.

The House were now to consider, whether they would proceed in the direct course that was opened to them by his hon. friend, or turn aside, and adopt the amendment proposed by the noble lord. It was not the province of those who sat around him to recommend either course. To whatever result the House might arrive, they should submit with deference to its decision. But he thought that, whatever might be the vote of the night, no renewal of the negotiations would be advisable. His majesty's government had entered on those negotiations with the sincerest disposition to bring them to a satisfactory issue; but having been broken off, those negotiations could not now be renewed but under the greatest disadvantage. Indeed, the course which the present debate had taken, rendered it idle to talk of renewed negotiations. The hon. and learned advocates for the queen might think the course which they had pursued, and the manner in which they had enforced their arguments, calculated to benefit their illustrious client. If so, he did not blame them, although certainly what had fallen from them was not likely to facilitate adjustment. With respect to others, who had been more violent, he really did not think that any thing which they had said would produce an impression on the mind of any man who had wisdom and self command enough to view a subject so deeply interesting as the present in a calm and dispassionate manner. As to the furious declamation of the hon. baronet in particular, he did not believe that it would have the slightest effect on the youngest member of the House. He was sure, that neither he nor his noble and right hon. friends, had thrown any impediments in the way of an amicable arrangement; but he conjured the House, if they thought that a period had arrived in which negotiation ought to terminate, to put an end to it, by some decisive expression of their opinion. He was anxious to render his free homage to his hon. friend the member for Bramber for his good intentions. His hon. friend had been as usual labouring in his praiseworthy vocation. It had been his hon. friend's noble object, not to exasperate, not to inflame animosities, not to put the parties in a position from which neither could retire with honour: his objects were of a higher, and holier nature—the healing of differences, the cessation of angry discussions, and, where reconciliation was unfortunately unattainable, at least oblivion and peace.

On a former occasion, an hon. gentleman had said something of the baseness of ministers in allowing his majesty to be at all visible in an affair in which they ought to be the sole actors. On a question of so delicate a nature—connected intimately and necessarily with the personal feelings and peace of mind of his majesty—it was difficult, and indeed impossible to speak without occasional reference to the monarch in his individual character; much as it was to be desired, on all constitutional principles, that the person of the sovereign should be kept out of sight in their debates, and his acts only canvassed through the responsibility of his ministers. But let that principle be fairly and generously acted upon. If blame should be thought to attach to any quarter; if the arrangement which had been wished for and recommended by the House of Commons, should be supposed to remain unaccomplished only in consequence of some culpable act or omission on the part of the Crown; by ministers alone let the responsibility of such act or such omission be incurred: but let the king stand clear. In a case so full of difficulty, and so much calculated to distract the understanding as well as to distress the feelings, it would be idle to pretend that not a word had been written or spoken amiss; but on a review of all that had passed, the ministers had the consolation of believing that they had not been wanting in duty to their sovereign on the one hand, nor on the other hand in consideration for the illustrious female, now approaching to that awful trial, which she braved with courage, and had demanded with a voice not to be resisted. But whatever might be the judgment of the House with respect to the conduct of ministers, let not the House forget that magnanimity with which the king had acceded to every sacrifice required of him. The proposition of his hon. friend, the member for Bramber, afforded another gleam of hope. The success of that proposition depended not upon his majesty or his ministers. But the ministers, he could answer for them would hail that success with joy:—and when the day of congratulation and acknowledgment arrived, the House would convey to his majesty the expression of their gratitude for the willingness which he has shown in subduing his own personal feelings, in consideration for the wishes of the House of Commons, and for the peace, and happiness, and morals of his people.

Mr. *Tierney* observed, that as the better part of valour was discretion, the right hon. gentleman had thought fit to postpone his defence of ministers till the effect of the hon. baronet's speech had worn away. The right hon. gentleman had said, that ministers were not afraid to meet either boisterous accusers or clamorous cheers; but never had so golden an opportunity of vindication as the present been neglected. If a speech which could not fail to excite the interest of every man in that House by the purity of its diction, and convince his understanding by the depth of its reasonings, appeared to the right hon. gentleman vague and empty declamation, he should either have treated it as a subject unworthy of serious consideration, or, if he felt its beauty and acknowledged its power, replied to it while fresh in their recollections. But the very fact proved that the speech was unanswerable; it was an admission, that ministers had fully accomplished what the hon. baronet asserted, namely, that they had placed themselves in a most degraded situation. He owned he felt no compassion for ministers after the speech of the hon. baronet, but he confessed he did at the conclusion of the speech of the right hon. gentleman. At that late hour it was not his intention to follow the right hon. gentleman through the various topics to which he had alluded, and some of which he had discussed in the course of his speech. With respect to the present motion, it was utterly out of his power to vote for it; and he said so with sincere regret, because he perceived that the evident impression of the House was in favour of it; and he felt also that any person who opposed it subjected himself to the imputation of throwing obstacles in the way. There was no man in that House more desirous of effecting conciliation than himself, but he did not think that the course pursued by his hon. friend was calculated to attain that object. The right hon. gentleman had brought a charge against those who, in an earnest wish to forward the views of the queen, had induced her to come to England; but that event had produced a most important change, not in the opinions of the mob, but in the conduct of ministers; for had her majesty continued abroad and not braved the storm, the concessions already obtained would never have been made. The history of the civilized world could produce nothing like the conduct of the king's advisers: simply because her majesty had reached Dover they had brought down two messages to parliament; and though they all now professed their wishes to conciliate, it was singular that they had made no earlier attempts, instead of resorting to the empty, bullying, blustering threats about the contents of a green bag. They did not dream of conciliating until they were driven to it by parliament; and as to future inquiry and exposures, it was morally certain, after the vote of to-night, that it never could be commenced. After some further remarks upon the tenderness of government upon this subject, Mr. Tierney proceeded to the question of the Liturgy, arguing that the words of the statute were plain and express. The right hon. gentleman had asserted that it was an after-thought of the negociators; but their only object in introducing it had been that something might be done to enable the queen to return to the continent *salvo honore;* and for his own part he (Mr. T.) did not think the proposition to restore her name unreasonable. He made this no party question, but he should be glad to know what result was expected from this resolution, supposing it were adopted. He would ask his hon. and learned friend whether he could give any assurance that her majesty would consent to be regulated by this resolution; but his hon. and learned friend, he must allow, stood in a situation which would perhaps induce him to withhold an answer. [Mr. Brougham here intimated that he would give no information.] Since he could not get the information he wanted in this quarter, he would ask a question of the hon. mover of the resolution. It appeared, from the letter of the queen, that he had informed her majesty that this resolution was likely to be favourably received by the House. But he could also give an assurance that a similar resolution would be favourably entertained by the House of Lords. He thought the best thing that could be done would be to adjourn in order to ascertain her majesty's disposition on the subject. He had, however, no doubt, from the speech which they had heard from his hon. and learned friend that her majesty would reject the proposal. There was, however, from this day, in his opinion, an end to the threatened inquiry, whether the resolution passed or not. One of the most extraordinary things in this extraordinary case was, that ministers should vote for the present motion. The resolution proposes to thank her majesty for preventing those discussions, which, whatever might be their ultimate result, could not but be distressing to her majesty's feelings—disappointing to the hopes of parliament—derogatory from the dignity of the Crown, and injurious to the best interests of the empire. Thus ministers, by supporting this resolution, expressly acknowledged, that the proceeding they had instituted was something derogatory from the dignity of the Crown, and injurious to the best interests of the country. It was, after this, quite impossible that they could go on. Now, was it their green bag that contained this mischievous matter, or the other green bag with which they were threatened in the speech of his hon. and learned friend? It was somewhat singular that the gentlemen on the other side, in speaking of this case, always used the term "differences." There might be differences in royal families as well as in others; but did they call a charge which might amount to treason, a mere family difference? In order that time might be had to ascertain her majesty's determination, he again urged the House to adjourn to to-morrow [Here there was a loud cry of No, no!]. But if it was the opinion of the House that there should be no adjournment, he was content; he should be saved the trouble of returning to the subject to-morrow.

Mr. *Brougham*, in explanation, observed, that the noble lord had misunderstood what he had stated on a former occasion respecting the Liturgy. A question had been started as to her majesty's title of queen. He had then stated, that having her name in the Liturgy, or receiving addresses, were trifles light as air; for queen she was, and queen she must be. It was in this way, in comparison with her general rights, that he spoke lightly of the omission of her name in the Liturgy, and not at all with regard to that proceeding considered in itself. He much regretted the ground on which ministers had now placed the omission of her majesty's name. With regard to the return of her majesty, it was true he had advised her to suspend her journey until a courier could have been sent to London and return. Whether that advice was right or wrong, he trusted the House and the country would suspend their opinion until he could explain the grounds on which it was given. He never advised her majesty to refrain altogether from coming to this country. Had the negotiation on the return of the courier failed, it would then have been for him to consider what further advice he ought to have given. Much had been said about her majesty's advisers. He confidently believed that the only adviser of the step her majesty had taken in coming to this country was herself. It was a step which reflected infinite honour on his illustrious client. It could not have come so well from her legal advisers as it did from herself, because in her it evinced fearlessness of danger, arising from conscious innocence. It was true that he had made no communication to her majesty but through lord Hutchinson; but it was not true that the memorandum of the 15th of April was given to him for the purpose of transmission to her majesty. It was to be given to her personally, and he had no opportunity of complying with that condition by going to Italy.—His professional duties, and the necessity of attending to the interests of his illustrious client in that House, where the subject might at any time have been brought up, prevented him from going abroad. When he went to France he had not had an opportunity of laying this memorandum before her majesty, but nobody who was not actually on the spot could form any idea of the strange and unaccountable accidents by which he was prevented from calling her majesty's attention to this document previously to the delivery of lord Hutchinson's communication. He had only to add, that he retained the same opinions which he had expressed at an earlier part of the debate, and that he did not, as at present advised, and under the existing circumstances, think that her majesty could safely give up the point in question.

Mr. *Hutchinson* then rose, but the impatience of the House long prevented him from being heard. He observed, that if he had rightly understood the hon. and learned gentleman, he had said, that he was ignorant of the capacity in which lord Hutchinson appeared at St. Omer's.

Mr. *Brougham* here interrupted the hon. member, in order to explain that what he had said was, that he had only recently learned that lord Hutchinson had received no instructions.

Mr. *Hutchinson* declared, that although this might be the case, he was confident that when all the circumstances were disclosed, they would reflect additional lustre on the already high and proud reputation of his noble relative. Both he and his noble relation were perfectly willing to join in those humane and honourable feelings which had been expressed with so much eloquence that night. Lord Hutchinson had placed himself in a most painful situation, with the view of preventing a great public mischief, and if the queen had not been most wretchedly advised, he would have succeeded in that object.—This would, he was satisfied, fully appear hereafter. When his noble relative left England he had reason to believe that the queen was prepared to receive propositions, and when the learned gentleman wrote at St. Omer's to lord Hutchinson to ask for a proposition, it was conceived that his object was merely to gain time. Lord Hutchinson said he wished to wait in the first instance for the arrival of a courier from Paris, but the queen would allow only a few hours. The noble lord, knowing that the chief object was, to prevent the queen's coming to England, made himself the channel of communication, and wrote the letter about which so many observations had been made. It was not surprising, that, in the anxiety of the moment, and taking upon himself an unexpected task, in so hurried a manner, this communication should have been inaccurate. The hon. gentleman concluded by intimating that although he should vote both against the motion and the amendment, he was as averse as any man to a proceeding by a secret committee, and he thought also, that the conduct of ministers in this affair was highly censurable.

Mr. *Denman* assured the hon. gentleman he had not the slightest intention of offering a single observation reflecting upon the deservedly eminent character of his noble relative.

Mr. *Brougham* was hardly more surprised at the late declaration that the noble lord had acted without the authority of his majesty's ministers, than at the address of his hon. friend who had just sat down. So far from imputing dishonourable conduct to the noble lord, he had put in the same claim for him that he had for himself, and had voluntarily offered to vindicate his conduct. Whether such vindication could have rendered that of the hon. gentleman superfluous, it would not be for him to determine.

Sir *Thomas Acland* supported the motion, and expressed his opinion that the original omission of the queen's name from the Liturgy was most useless and improper.

Mr. *Wilberforce* replied. In allusion to the charge or insinuation that he had any understanding with ministers in bringing this question forward, he solemnly disclaimed it, and conceived that his long political life might have secured him against such a suspicion. He had carefully looked for any means by which he could effect his purpose—that of adjusting this unhappy difference; and he called on the House to look to his proposition as the very expedient which his learned friend was anxious to discover—as that which would be a substitute for introducing her majesty's name in the Liturgy. Was this House, he would ask, so low, so much degraded in the opinion of gentlemen in general (he excepted the hon. baronet who was reported to have said at a recent meeting, that the present parliament was more infamous than the last), that they would not believe that the declared opinion of this House, on the subject in dispute, would have more weight with her majesty than the introduction to any court whatsoever? She carried about with her an English heart, and she had evidently an English spirit. Was it then to be supposed that she would not agree to an alternative which would be so beneficial to the peace of the country.

Lord *Castlereagh*, in explanation, said, that his hon. friend had expatiated more strongly on his reasoning than any thing which he had stated would warrant. He had repeatedly declared, that the decision on the Liturgy had been taken by ministers, in contemplation of the charges of which they were at that time in possession. But he never had said that ministers came to that decision for the purpose of fixing a stigma on the royal personage. He had stated that they agreed in the measure for the purpose of avoiding a stigma [A laugh.] It was quite astonishing to see how eager gentlemen opposite were to arrive at their favourite conclusion, which was, to prevent all accommodation; but they could neither deceive the House nor the country [Order, order.] It was impossible not to be thrown out of one's natural bias of temper under such circumstances. He admitted that if the name of the duke of York had been placed in the Liturgy, and that of the queen excluded, it would have been a stigma. But, in the way in which it was done, it was that species of neutral measure which could not be considered a stigma. He did not mean to say that it placed her majesty in the same situation as if she had been specifically included in the prayer, or that it was a situation in which ministers, if those grave charges had not been preferred against her, would have found themselves justified in placing her. But, having heard those charges, they could not act otherwise than they had done, without placing themselves in a situation of being a contrast to themselves, by departing from the course their duty pointed out.

The question "That the words proposed to be left out, stand part of the question," was then put and agreed to. The main question being then put, the House divided: Ayes, 391; Noes, 124. The Speaker said, that from the precedents in the Journals, it appeared, that when an address was voted to any of the royal family, it was customary, if any of their officers were members of that House, for the address to be conveyed by them. Mr. Brougham objected to be one of those who went up with the resolutions to her majesty, as it might so happen, that he might hereafter feel it his duty, as one of her majesty's advisers, to advise her not to act upon those resolutions. Mr. Denman declined waiting on her majesty with the resolutions, for the same reason. But he trusted, that however they might be conveyed, it would be in the most respectful manner. It was then ordered that the said resolution be laid before her majesty, and that Mr. Wilberforce, Mr. Stuart Wortley, sir Thomas Acland, and Mr. Bankes, do attend her majesty therewith. At five o'clock in the morning, the House adjourned.

List of the Minority.

Althorp, viscount
Allen, John H.
Anson, sir G.
Anson, hon. G.
Aubrey, sir John
Barham, J. F.
Barham, John
Baring, Alex.
Barrett, S. M.
Beaumont, T. P.
Bennet, hon. H. G.
Benyon, Ben.
Bernal, Ralph
Birch, Jos.
Bright, H.
Brougham, H.
Browne, Dom.
Burdett, sir F.
Bury, visc.
Byng, George
Calcraft, J. H.
Calvert, C.
Campbell, hon. J.
Carew, R. S.
Carter, John
Cavendish, lord G.
Clifton, visc.
Coke, T. W.
Coke, T. W. jun.
Colborne, N. R.
Coussmaker, G.
Crompton, Saml.
Claughton, Thos.
Creevey, Thos.
Denison, Wm.
Denman, Thos.
Duncannon, visc.
Ebrington, viscount
Ellice, E.
Farrand, R.
Fox, G. Lane
Fergusson, sir R.
Fitzgerald, lord W.
Fitzroy, lord C.
Fitzroy, lord J.
Folkestone, visc.
Graham, Sandford
Graham, J. R. G.
Griffiths, J. W.
Guise, sir W.
Grenfell, Pascoe
Gurney, R. H.
Glenarchy, lord
Howard, hon. W.
Hamilton, lord A.
Harvey, D. W.
Heathcote, G.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.

Hornby, E.
Hughes, W. L.
Hughes, col.
Hume, Jos.
Hurst, R.
Hutchinson, hon. C.
Haldimand, Wm.
James, Wm.
Kennedy, T. F.
Lennard, T.
Lamb, hon. W.
Lambton, J. G.
Lemon, sir W.
Lloyd, sir Ed.
Lloyd, J. M.
Macdonald, J.
Mackintosh, sir J.
Martin, John
Mildmay, P. St. J.
Monck, J. B.
Moore, Peter
Mahon, hon. S.
Nugent, lord
Ord, Wm.
Osborne, lord F.
Ossulston, visc.
Palmer, col.
Palmer, C. F.
Pares, Thos.
Pelham, hon. C. A.
Peirse, Henry
Philips, George
Philips, G. jun.
Power, Rd.
Price, Rt.
Prittie, hon. F. A.
Pym, Francis
Rickford, Wm.
Ricardo, David
Robarts, Abr.
Robarts, George
Robinson, sir G.
Rowley, sir W.
Russell, G.
Stanley, lord
Smith, hon. Robt.
Scarlett, James
Scudamore, R.
Sefton, earl
Stewart, Wm.
Stuart, lord J.
Sykes, Dan.
Taylor, M. A.
Tierney, rt. hon. G.
Warre, J. A.
Webbe, E.
Wharton, John
Whitbread, W. H.
Whitbread, Sam.
Wilkins, Walter
Williams, W.
Wilson, sir Robert
Winnington, sir T.
Wood, alderman
Wyvill, M.

HOUSE OF LORDS.

Friday, June 23.

THE QUEEN.] Earl *Grey* was sorry that the noble lord at the head of his majesty's government was absent, as he wished to ask him a question on the subject of that most unfortunate business which had so long occupied the attention of parliament and the public. What he would have inquired, had the noble lord been present, was, whether he meant to abide by his intention of allowing the sittings of the secret committee to take place on Tuesday next, if no amicable adjustment, or rather no arrangement of the differences, should then have taken place. If the noble lord did on Monday bring forward any proposition, he should, in the first place, reserve himself for its consideration. If, on the contrary, the noble lord intended to make no proposal to the House on that day, but should act on his declaration of yesterday, namely, to allow the committee to meet on Tuesday if an adjustment was not concluded by Monday, he should think it his duty on the latter day to call their lordships' attention to circumstances which had taken place, by which the character of the proceeding they had adopted was materially affected. To the appointment of that secret committee he fully felt all the objections which had been urged by his noble friends before he had the opportunity of attending in his place in the House. But to these weighty objections was to be added this additional circumstance, that it appeared, from the votes of the House of Commons, that a measure had there been adopted, which placed the question in quite a new state. He found that a resolution, supported, as he understood, by the opinion of his majesty's ministers, had passed the other House of Parliament, explicitly declaring, that any inquiry which might be instituted, in consequence of the message and papers communicated to their lordships' House, can have no possible result except one, which "must be derogatory from the dignity of the Crown, and injurious to the best interests of the empire." Thus his majesty's ministers had engaged that House in a proceeding which they now admitted can terminate, whatever be its result, in no other way than that of derogating from the dignity of the Crown, and injuring the best interests of the country. This proceeding was then evidently one, in the prosecution of which it was impossible for their lordships to continue. He thought it necessary to say this much, to call their lordships' attention to the subject that they might be prepared for the consideration of the subject on Monday. He concluded by moving, that the House be summoned for that day.—Ordered.

HOUSE OF COMMONS.

Friday, June 23.

LABOURERS WAGES BILL.] Mr. Littleton moved the second reading of this bill, and briefly explained the object of the measure. Mr. Cripps, Mr. Davenport, and alderman Wood, spoke in favour of the bill; and Mr. Hume objected to it, as interfering between master and man. Mr. Baring would have been inclined to oppose the bill, if the country had been in a very different and more quiet state. Under the present circumstances he should support it. Mr. John Smith supported the bill. Colonel Wood opposed it; and was desirous to see all restrictive acts of this character abolished. After a few words from Mr. Wrottesley, lord Stanley, and Mr. Lockhart, in favour of the bill, the question of its second reading was put and carried without a division.

The Queen.] Mr. *Brougham* trusted the House would allow him to supply an omission which he had last night made in the course of his speech, and which had only been brought to his recollection by her majesty in the course of this morning. It had been objected by the noble lord last night, that the introduction of the question of the Liturgy had been an afterthought on the part of her majesty's advisers. Now, he felt himself bound, in justice to the queen, to state, that the moment her majesty, at her then residence abroad, found, from the gazette, that her name was erased from the Liturgy, she instantly wrote to one of his majesty's ministers*, complaining of the injustice of such a proceeding. He felt himself at the same time bound, in fairness to all parties, to state, that from the period of such communication up to the time when the conferences took place, no mention of the Liturgy had been made.

Lord *Castlereagh* perfectly recollected that the letter alluded to had been received by a noble friend of his. He wished, at the same time to observe, that when he spoke of the Liturgy having been introduced by her majesty's advisers as an after-thought, he meant not to insinuate that her majesty had not thought of it: his object was to show that it was not, in the first instance, propounded to his majesty's servants as a principal ground of objection. While he was on his legs, he wished to suggest the propriety of the House sitting to-morrow, in order to receive her majesty's answer; not for the purpose of deliberating upon it, but in order that gentlemen might be in possession of it previously to any discussion.

Mr. *Brougham* said, that nothing could be more convenient than such a proceeding, provided no discussion was to take place. He wished here to state, that in consequence of the late hour to which parliament sat last night, as well as from the indisposition under which he laboured, he was unable to make any communication to her majesty before three o'clock to-day. This having been the case, her majesty was unable to fix any earlier hour than eleven o'clock to-morrow for receiving the deputation.

Mr. *Denman* said, that the letter of her majesty, complaining of the omission of her name in the Liturgy, had been written on the 16th March, and received here on the 29th. Of this letter he knew nothing, until informed of it by her majesty this morning.

HOUSE OF COMMONS.

Saturday, June 24.

The House met at the usual hour. Curiosity to hear her majesty's answer to the resolution of the House of Commons attracted a greater assemblage of members than we ever before witnessed on a Saturday. There could not be fewer than 300 members present.

Parliamentary Reform.] Mr. *Lambton* begged the indulgence of the House for a few minutes. A motion of his, which he was pledged to his constituents to bring forward, and than which none of greater importance could occupy the attention of parliament, stood for Tuesday next. He felt, however, from the circumstances which had recently occurred, that it was impossible for members to enter so fully as he could wish on the consideration of the subject in question, while engaged as they would be for some time to come. On these grounds he begged to withdraw his notice of motion for the present, and defer it until next session.

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* The following is the letter written by her majesty on her seeing, from the newspapers, that her name was omitted in the Liturgy:—

"*Rome, March* 16, 1820.

"The Queen wishes to be informed, through the medium of lord Liverpool, first minister to the king, for what reason or motive the queen's name is left out of the general prayers in England, with a view to prevent all her subjects from paying her such respect as is due to her. And it is an equally great omission towards the king, that his consort queen should be obliged to submit to such great neglect, as if the archbishop was in perfect ignorance of the real existence of the queen Caroline of England. The queen is desirous that lord Liverpool should communicate this letter to the archbishop of Canterbury. Lord Liverpool will with difficulty believe how much the queen was surprised at this first act of cruel tyranny towards her; since she had been informed through the newspapers of the 22nd of February, that in the course of the debates in the House of Commons, lord Castlereagh, one of his best friends, assured the queen's attorney-general, that the king's servants would not use towards the queen any inattention or harshness. And after that speech of lord Castlereagh, the queen is surprised to find her name left out of the Liturgy, as if she no longer existed in this world. The queen trusts, before she arrives in England, these matters will be corrected, and that she will receive a satisfactory answer from lord Liverpool. "Caroline, Queen."

EDUCATION OF THE POOR.] Mr. *Brougham* said, he stood in the same situation as his hon. friend who had just sat down. His motion respecting the Education of the Poor stood also for Tuesday. He could not, however, when he considered the great importance of the subject, and that, if the business of the country was allowed to yield to circumstances which might arise like those his hon. friend had alluded to, the public must eventually be sufferers to a deplorable extent, bring himself to postpone his motion beyond the appointed day. He had always foreseen that the momentous proceedings which were about to take place, would be attended with consequences such as the hon. member for Durham and himself referred to. He saw no alternative, however, but that of persisting in the course he now stated, and suggesting to the House the propriety, during the progress of the interesting discussions in which it was about to be engaged, of setting apart particular days for attending to the regular business of the country.

EXCHEQUER COURT OF SCOTLAND.] Lord *A. Hamilton* begged to state, that one of the barons of the Scotch exchequer, called the English baron, had lately died. It was therefore his intention to move, on an early day, that the place just vacated should not be filled up, but that, agreeably to the recommendation of the committee on that subject, the barons of the Scotch exchequer should remain permanently at their present number.

Lord *Castlereagh* informed the noble lord, that his majesty's government did not intend to make any appointment in the place of the late Scotch baron to whom he alluded.

THE QUEEN'S ANSWER TO THE RESOLUTIONS OF THE HOUSE.] Mr. Wilberforce, accompanied by Mr. Stuart Wortley, now entered the House. The former was loudly called for; but Mr. S. Wortley took his place at the bar, attended by Mr. Bankes and sir T. Acland, and announced that the deputation nominated to wait upon her majesty had that day delivered to the Queen the Resolution of that House, as authorized by their vote, to which her majesty was pleased to give the following Answer:—

"I am bound to receive with gratitude every attempt on the part of the House of Commons to interpose its high mediation for the purpose of healing those unhappy differences in the royal family, which no person has so much reason to deplore as myself; and with perfect truth I can declare, that an entire reconcilement of those differences, effected by the authority of parliament on principles consistent with the honour and dignity of all the parties, is still the object dearest to my heart.

"I cannot refrain from expressing my deep sense of the affectionate language of these resolutions. It shows the House of Commons to be the faithful representative of that generous people, to whom I owe a debt of gratitude that can never be repaid. I am sensible too that I expose myself to the risk of displeasing those who may soon be the judges of my conduct. But I trust to their candour, and their sense of honour, confident that they will enter into the feelings which alone influence my determination.

"It would ill become me to question the power of parliament, or the mode in which it may at any time be exercised. But however strongly I may feel the necessity of submitting to its authority, the question whether I will make myself a party to any measure proposed, must be decided by my own feelings and conscience, and by them alone.

"As a subject of the state, I shall bow with deference, and, if possible, without a murmur, to every act of the sovereign authority. But as an accused and injured queen, I owe it to the king, to myself, and to all my fellow-subjects, not to consent to the sacrifice of any essential privilege, or withdraw my appeal to those principles of public justice, which are alike the safeguard of the highest and the humblest individual."

MILAN COMMISSION.] General *Fergusson* said;—As we are now about to enter upon this unhappy investigation, which, according to ministers, so seriously affects the dignity of the Crown and the interests of the people at large, we have a right, I think, before we proceed farther, to receive some information concerning transactions which have reference to this painful subject. Before we begin the consideration of the inquiry, I beg to ask a question respecting the Milan mission. Was it a public or private commission? Was it sanctioned by the legitimate advisers of the Crown? Was there a report from it? And, if so, to whom was it made? I should also like to know by whom that commission was appointed. I hope this question will receive an answer from the noble lord opposite.

Lord *Castlereagh*:—I hope the hon. and gallant general will excuse me on the present occasion for reminding him, that, when we agreed to meet to-day, it was specifically understood by my hon. friend opposite (Mr. Wilberforce), and I believe by others, that we were not to meet for discussion, but merely to receive the queen's answer. As we are to enter upon this subject on Monday, I hope it will not be expected of me now to say one word that can lead to premature discussion. I must therefore decline answering the hon. and gallant general's question at the present moment.

Mr. *M. A. Taylor* protested against the doctrine laid down by the noble lord, that his agreement with any hon. member was to be admitted as a bar to any inquiry which others might think proper to make. The question put by his hon. friend was a very proper one, and one to which the House had a right to expect an answer, although the noble lord need not answer it, certainly, unless he chose. But the sooner it was answered the better. The Milan commission must either have been the act of government, or have arisen out of underhand advice, to which the noble lord and his colleagues had found themselves obliged to truckle. If the noble lord and his colleagues thought these were acts that ought not to have taken place, they should gravely and respectfully have advised his majesty against them; and if their advice had been rejected, they ought immediately to have resigned their places to others [a laugh]. He did assure the gentlemen who had just indicated their feelings, that he spoke disinterestedly; for, so far from having a wish that his friends or the gentlemen who surrounded him should get into place, he thought it impossible that a greater curse could befall them, than to succeed to the places of the present ministers, in the state of misery to which those ministers had by their counsels reduced the country. For their august royal master, from whom he had now been separated for years [a laugh], he entertained the highest friendship, if he dare speak in such terms of his sovereign, to whom he yielded in respectful duty to no man. If the noble lord could resume his gravity, he would tell him that he (Mr. Taylor) spoke feelingly from his sense of the state of the country, and not from any spleen that could be supposed to arise from his having been separated, as it were, from that sovereign, perhaps by the counsels of that noble lord [repeated laughter]. He spoke out honestly, and under an imperious sense of duty. If in what he had uttered there were any expressions disrespectful to the House, he was ready to beg pardon, but not of the noble lord. He could assure the noble lord that he was grossly mistaken if he thought he could embarrass him by any thing which he could do. By no ridicule or satire was he to be moved. He repeated it, that he lamented to see that illustrious individual in the hands of the noble lord and his colleagues. He insisted on it, that the question of his hon. friend was perfectly proper; and if no answer should be given to it, it would carry a conviction to his breast that there was something in the Milan commission so odious and objectionable, that the noble lord did not dare to own it.

Sir *R. Wilson* did not wish to provoke discussion, but he felt it necessary to ask the noble lord if the adjourned debate on the king's message would be resumed on Monday, or if it was intended by ministers to insist on the appointment of a secret committee? He asked for the purpose of obtaining information for his constituents, who were anxious to seize the opportunity, if any should offer, to express their objections to that mode of proceeding, by way of petition to the House.

Lord *Castlereagh* declined giving any answer to any farther question.

Mr. *R. Martin* said, it was highly indecorous to be thus putting questions to the noble lord, especially when it was known to be the feeling of the House that there ought to be no discussion upon the subject at present.

The House then adjourned.

HOUSE OF LORDS.

Monday, June 26.

COMMITMENT FOR LIBEL—PETITION OF MR. BUTT.] Earl *Grey* presented a petition from R. G. Butt, stating his having brought an action against sir N. Conant for false imprisonment, in committing him on a charge of libel before any indictment found or information filed, and that the judges had decided the point against him; he therefore complained to the House, and prayed relief, &c. His lordship, in presenting the petition, adverted to what he had formerly said upon the subject of the power assumed, or, he would rather say, usurped by magistrates, of judging of the nature of libel, by committing on charges for that alleged offence, without any indictment being found or information filed. To the opinion he then expressed, he still adhered, considering, as he did, such a practice to be a departure from the ancient laws of the land, and to be contrary to the principles of the constitution.

The *Lord Chancellor* observed, that the judges had given it as their opinion, that there was no ground of complaint in the petitioner's case. With regard to the motion made by the noble earl on a former occasion, his objections to the power of the magistrates were, at the time they were made, deserving of every attention; but was fully of opinion, that they were not founded in law.

Lord *Erskine* said, he had on a former occasion, when his noble friend brought the subject before the House, stated that he considered arrest for libel, before an indictment was found, to be illegal; and he still maintained that opinion.

Ordered to lie on the table.

PETITION FROM THE QUEEN.] Lord *Dacre* rose. He said he had been requested to present a petition which he felt it to be his duty to offer to their lordships, inasmuch as it related to matters of great importance, and was worded with propriety. The petition was from her majesty, and it had been hoped that that illustrious person would have been enabled to place it on the table through a medium better calculated to give weight to the proceeding—namely, through that of the highest authority in the House. As, however, that expectation had not been realized, it fell to his lot to call their lordships attention to the subject. In this petition her majesty complained of the mode of inquiry instituted against her being by a secret committee, she complained that this inquiry respecting her conduct was instituted at a period when she had not time to procure witnesses from the continent. She complained that by this course of proceeding an unfavourable impresssion might be made against her before she had an opportunity to rebut the evidence brought secretly forward by her accusers. Such was the nature of the petition he held in his hand; but, before he presented it, he thought it proper to observe, that, totally ignorant as he was of the nature of the transactions referred to, and never having been honoured with her majesty's acquaintance, or having had the slightest communication with her, he was on this occasion merely performing what he considered a duty to a person under accusation, and against whom proceedings had been adopted of a nature in which he could not concur. He had already taken an opportunity of stating his dissent to the course which their lordships had chosen to sanction, but to proceed in which would now be unbecoming the character of that House. Why was it desired to proceed hastily to an inquiry, the result of which was expected to prove equally injurious to the dignity of the Crown and the interests of the people? Their lordships must be aware that the public opinion was decidedly against an inquiry by a secret committee, the appointment of which was notoriously in the hands of his majesty's ministers. Many of the names included in the list of that committee were those of noble lords who had already given an opinion on the case. If that committee was, as had been asserted, to perform the functions of a grand jury, what effect must the manner in which it was composed have on the feelings of the people? The list contained the names of four cabinet ministers who had already made up their minds on the question, and were acquainted with the whole of the case. There were two other names of persons of high station, who must naturally be supposed to have received impressions unfavourable to the illustrious person accused. It was not to be believed that the right reverend prelate at the head of the church, or the noble and learned lord, would have suffered the name of her majesty to be excluded from the Liturgy, had they not admitted that there were grounds for that proceeding. They must, therefore, be considered as having already come to a decision. One of them was the person responsible for the exclusion of the queen's name [Here some noble lord, we believe the lord chancellor, intimated his dissent from this opinion]. He must repeat, that he considered the right reverend prelate the responsible person for this act. He would not go over the whole list. It was sufficient for him to observe, that there were several others who must be conceived by the public to have formed a bias against the interests of the illustrious person under accusation. In such a state of things, when the greatest agitation prevailed among all ranks, and the vital interests of the country were at stake, he hoped their lordships would pause at least for a moment, to consider how far the claims of her majesty, as expressed in this petition, were just and equitable—how far they could be warranted in rejecting her majesty's claim to that justice to which every Englishman must consider her entitled—namely, that she should not be proceeded against until she had the opportunity of bringing her witnesses from the continent. Her majesty further prays, that she may be heard by counsel against the sitting of the secret committee. This prayer he hoped their lordships would grant, and then the objections to that proceeding would be enforced by arguments much stronger than any he could use.

The *Lord Chancellor* had no objection to the petition being laid on the table, but thought it necessary to say a few words in consequence of what had fallen from the noble lord who presented it. He felt that he had, as a peer, duties to perform to every subject of the realm; but in the situation in which he stood he knew that he had also one great duty to perform to that House. He declared, upon his honour, that when he declined to present the petition he entertained no objection to its being submitted to the consideration of the House, but it appeared to him better that it should be presented by any other noble lord than by himself. A due regard to the situation in which he stood induced him to pause, when called upon to present this petition. He had not, however, three minutes for the consideration of the question. He had certainly taken great pains to learn what was the proper mode of proceeding in such a case, but no light could be derived from any thing found in the Journals. He had on a former occasion refused to present a letter to the House from the illustrious person who was now a petitioner. He would have willingly complied, but there was no precedent in the Journals for such a proceeding. He again repeated, that his only reason for not presenting the petition was, his belief that it would be more proper for any other of their lordships to perform that office. No feeling of disrespect to the illustrious person had influenced his conduct. He declared to their lordships, and was ready to declare in the face of the whole world, that he would rather suffer death than admit any abatement of the principle that a person accused is not therefore to be considered guilty. As there was no precedent, he was not yet aware what proceeding could be taken on the petition; but certainly the illustrious person would have, somehow or other, the opportunity of being heard. That he had refused to present the petition was, however, no objection to its being now received and considered.

Earl *Grey* was sensible that no person was more disposed on every occasion to discharge his duty to the House and the country conscientiously than the noble and learned lord. That no motives but such as arose from the consideration of his duty could have prevented the noble lord from presenting the petition he was well convinced; but the noble and learned lord must allow him to think, that the view he had taken of his situation was an erroneous one. That his sitting on that woolsack gave him different duties with respect to applications of this kind from any other noble lord was what he could not admit. He apprehended that there was no distinction of the nature of that which the noble lord endeavoured to set up. For his part, feeling that the doors of that House ought always, in some way or other, to be open to every person who complained of a denial of justice, had that petition been offered to him he would not have thought it necessary to take three minutes to consider the propriety of submitting it to the consideration of their lordships; but after satisfying himself that it was couched in proper language, should have thought himself bound to present it. The noble and learned lord had formed, doubtless most conscientiously, a different opinion; but that opinion, he must contend, was founded on a mistaken view of the noble and learned lord's situation. He could not help making these observations on this subject; for it was important that no distinction should be considered to exist among the peers who composed that House.

The *Lord Chancellor* had no desire to prolong the discussion, but wished that the noble lord, and others who concurred with him would lay down some course which he could follow. Notwithstanding all that the noble lord had said, he considered that duties were imposed on him very different from those which the great majority of their lordships had to perform. He was not aware that any similar petition had ever been presented; but, as he had said, he had no objection to its being submitted to the House.

Lord *Holland* concurred with his noble friend. The duties of the noble and learned lord, in rising and speaking from that wool-sack, differed in no respect from those of any other peer of parliament. His duties in that House were not to be regulated by any other duties. While he sat there he was bound to consider himself only as a member of that House. It was a doctrine of great importance, that nothing coming from him was to be considered as having greater weight or authority than if it came from any other peer. His conduct therefore was not to be regulated by other motives than those which regulated that of any other member of that assembly. They were all peers, and no individual among them could address the House with any greater authority than that which belonged to his character. The privileges of the House would indeed be materially abridged, were it to be presumed that any man among them could, by what he individually did, bind that House. There could, therefore, be no objection to the noble and learned lord's presenting the petition, which would not have been equally an objection on the part of any other noble lord. There might be a difficulty in finding precedents for the present case, and he had no doubt that the journals had, as the noble and learned lord said, been searched in vain; but when there was no other mode in which the illustrious petitioner could apply than this, it was not reasonable to think that there could be any impropriety in presenting her petition. The noble and learned lord said that he had refused to present a letter from her majesty; but that was quite a different case, as he might then have appeared as acting for the House. No such objection, however, could apply to the presenting of a petition.

The Earl of *Liverpool* said, that all their lordships were agreed as to the propriety of receiving the petition. He would receive it, not because there was any precedent for it, but because it was a clear principle of constitutional right that the applications of subjects, however high or however low, should be received by their lordships, in cases in which their interests were affected. The only question was, whether it should be received in a more solemn and formal manner than other applications; and as that could not be the case, it should be received in the usual way. He begged, however, to say a word or two on the plea of his noble and learned friend on the woolsack for refusing to present the petition, and what had fallen from the noble lords opposite on that subject. He admitted that their lordships were all equal in point of duties and privileges, and if the illustrious petitioner could not have access to the House but through one individual of their lordships, that individual should have presented it. But there were individual peers through whom it would be highly improper to present certain applications. Suppose, for instance, a petitioner were to request any of their lordships to present a petition against one of his own relations, could he not very properly decline, and request the petitioner to apply to some other quarter? To say, therefore, that any individual peer of parliament might not have particular reasons for declining to do certain duties which might be more properly done by others, and that, in the exercise of his discretion, he might not decline those duties, would be denying him his undoubted privilege. There might be petitions which, considered as a peer of parliament, he might have no objection to present; but, considered as holding a particular office, and exhibiting a particular character, he might be prevented from offering to the House. This was the case with his noble and learned friend. But his noble and learned friend might have another reason; he knew that there was no precedent for this, and he did not think that, this being a new case, he ought to comply without deliberation. It was, therefore, more proper that it should come from any other member of the House. Any noble lord might say, that such a petition, though fit to be presented, might not be fit to be presented by him.

The Marquis of *Lansdowne* perfectly agreed with a great part of what had fallen from the noble earl opposite, while he contended that it had not touched any of the objections of his noble friends. He allowed that any noble lord might decline to present a petition, upon personal considerations. He could have no objection to any peer of parliament exercising his own discretion on what petition he ought, or ought not, to present. What he objected to was, the reason which the noble and learned lord gave for declining to present the petition—namely, that he felt precluded from presenting it by the particular situation which he occupied in the House. The principle for which his noble friends and himself contended was, that no peculiarity of situation precluded the noble and learned lord on the woolsack from presenting any petition, or performing any duty, which might be presented, or performed by any other peer of parliament. The noble and learned lord's situation as Speaker of that House differed from that of Speaker of the House of Commons in this respect—that the latter was elected by the House itself, and the former was appointed by the Crown. The noble and learned lord, therefore occupied the woolsack by command of his majesty, but still without relinquishing any of the privileges or freeing himself from any of the duties of the peerage, which were common to him with the other peers, and which, when he quitted the woolsack, he might discharge in any other part of the House. The noble earl therefore had not answered this objection by placing the refusal of the chancellor on personal grounds.

The *Lord Chancellor* explained. He claimed all the privileges, and was willing to execute all the duties of the peerage; and desired it to be understood, that he would never refuse to present a petition, whether from the highest or the lowest subject, if consistent with what he thought his duties to the House. He would not allow that he was acting from personal motives while he declined presenting a petition for which he had no precedent. He thought that the presenting of this petition was a strong measure, which he was not called upon to execute sitting where he did.

The Petition of her majesty was then read as follows:

"To the Lords Spiritual and Temporal in Parliament assembled.

"Caroline *R.*

"The Queen, having been informed that proceedings are about to be instituted against her in the House of Lords, feels it necessary to approach your lordships as a petitioner and a fellow subject. She is advised that, according to the forms of your lordships House, no other mode of communication is permitted.

"Now, as at all times, she declares her perfect readiness to meet every charge affecting her honour; and she challenges the most complete investigation of her conduct. But she protests, in the first place, against any secret inquiry; and if the House of Lords should, notwithstanding, persist in a proceeding so contrary to every principle of justice and of law, she must in the next place declare, that even from such an unconstitutional course she can have nothing to apprehend, unless it be instituted before the arrival of those witnesses whom she will summon immediately to expose the whole of the machinations against her. She is anxious that there should now be no delay whatever in finishing the inquiry; and none shall be occasioned by her majesty. But the queen cannot suppose that the House of Lords will commit so crying an injustice as to authorize a secret examination of her conduct, in the absence of herself and her counsel, while her defence must obviously rest upon evidence which for some weeks cannot reach this country. The instant that it arrives she will entreat the House of Lords to proceed in any way they may think consistent with the ends of justice; but in the mean time, and before the first step is taken, her majesty desires to be heard by her counsel at your lordships bar, this day, upon the subject matter of this petition."

Lord Dacre then moved, that her majesty's counsel be called to the bar. The motion was agreed to, and her majesty's counsel were accordingly called. A pause of some minutes ensued, while the messengers went to inform Mr. Brougham and Mr. Denman that their lordships desired their attendance. The two learned gentlemen, accompanied by Mr. Williams, then appeared at the bar. The petition was again read, and

Mr. *Brougham* began to address their lordships. He said he had the honour to attend their lordships as counsel for her majesty, the Queen, and he understood that he should now be heard in support of the petition which had just been read. It might perhaps have been more consistent with his duty if, feeling, as he did, the extensive importance of the interests which he was now called upon to defend, and sensible how feebly it was in his power to defend them, and how small the abilities he brought to the task, he had asked for a delay of a few hours to prepare himself for the execution of it. But he had in it command from his illustrious client not to spare any personal sacrifices, on his own part, to avoid delay, and not to offer any obstruction on her's to the immediate commencement of the inquiry. It became, therefore, the more necessary for him to make the statement which he was about to make on the part of her majesty, that she should not appear to ask for delay in the accustomed and vulgar sense of that word. She asked for no delay of the prosecution; she asked for no delay of judgment, because she was conscious that she was innocent, and because she knew that their lordships were just; but she asked for delay because she knew that all the forms of law and justice would be set at defiance if they refused to listen to her petition, and proceeded to try her on the *ex parte* statements of her enemies. As it appeared from a message on the table, her majesty was to be brought to trial on grave charges contained in papers submitted to their lordships. These papers, as stated in the message, referred to the conduct of her majesty when residing abroad. What the charges themselves were—by what testimony they were supported—who the base tools were who lent themselves to procure, collect, and arrange them—how they were scraped together—by whose influence they were conjured up, he could not tell; but it was enough for him to know this, that be it creditable to the collector, or be it odious and disgraceful to the collector and the witnesses, it went to affect the character and to impeach the conduct of her majesty for something that was alleged to have been done abroad. Now, it was known to their lordships, that her majesty had resided for the last five years at a great distance from this country; that she had lived beyond the Alps and the Apennines, and that it was physically impossible for her to procure the production of a single document, the presence of a single witness, or even the answer to a single letter that might be necessary for the vindication of her character, in less than five or six weeks. But unless the House waited till witnesses on the part of her majesty should be collected and brought to this country—witnesses whose presence were absolutely necessary, not only to enable him to rebut a single charge, but even to cross-examine a single individual of those wretches—he begged pardon of their lordships for his warmth; he meant of those personages whose evidence had been thrown into the sealed bag—the ends of justice could not be accomplished, and her majesty might as well be condemned without any of the formalities of it. It would, then, be more than five or six weeks before her majesty could be prepared to repel the charges against her, and enter upon her defence. Now, let it not be understood by persons out of doors—as he was sure it could not be understood by the honourable minds of their lordships—whatever construction might be attempted to be put upon it by her majesty's enemies—that this claim of delay was made from any consciousness of guilt, or with any desire to elude investigation. The more important this charge—the more the accused party felt conscious of innocence—the more secure of an honourable acquittal—the more essential it was she should have at her command all the means of vindicating her honour, and confounding her enemies. He called on their lordships to recollect, that when an Englishman's wife or daughter came before the public, to have her conduct, during a long course of years, sifted with the strictest scrutiny, in order to enable her to meet the dangers attending such an investigation, the witnesses must all be English; no foreigner must be admitted as an evidence against her—none whose principles hung on them by a loose tenure—none who denied the obligation of an oath—none who conceived that an oath taken here, whatever importance they might attach to it elsewhere, was not to be rigorously attended to. That was the first safeguard of an Englishwoman, tried for her conduct in England. In the next place as the witnesses against her were of her own country, she had an opportunity of knowing them; the judge knew them, and the public knew them, the press showed to the world their conduct in the witness-box—their conduct as regarded their duty to their fellow-creatures, and to their God. The third safeguard of an Englishwoman, brought to her trial in England, was that compulsory process, by which she might bring into court witnesses to her conduct, against whom neither bribes, nor threats, nor any procurements of her adversaries, could avail one straw. But how was her majesty situated? All the witnesses by whom the charges against her were supported, were, either by religious observances, or by other circumstances of character and situation, of such a description, that he would venture to say, although all the noble lords whom he addressed were as bold as the distinguished captain (the duke of Wellington) in whose presence he then stood, there was not one of them who would not shrink back with terror if he thought one speck of such evidence was to be brought forward against his wife or daughter. Her majesty was not, in the present case, clothed with power, or invested with patronage: her friends abroad were neither numerous nor powerful, nor were they likely to atone by their zeal for the smallness of their number and their want of power. She was discountenanced by all the public authorities of this country, and despised and rejected by those abroad; and, under these disadvantages, she had to meet all that bribery, all that force, all that fear, all that malignity could collect and array against her.—He would ask their lordships, if they could doubt that her majesty was conscious of her innocence, and fearless of the result, when under such circumstances as these she called on her law officers to go on, and demanded no delay of the proceedings. But it was his duty to take care, and if he neglected it, their lordships who took upon themselves the character of her judges, would look to it, that she should not be suffered, by her fearless readiness to meet the charge, to injure herself by acquiescing in a course which, however innocent soever she might be, might prove fatal to her cause. Until he had an opportunity of communicating with the witnesses of his illustrious client, it evidently would be impossible for him to become acquainted with the characters and habits of all her accusers, of some of whom indeed he knew enough, and his knowledge of these made him anxious to know the rest. Unless he had a personal intercourse with the witnesses for the defendant, so as to learn the habits and inducements of those who supported the charges, he would put it to any person who had ever seen a cause tried, whether it was possible for him to cross-examine one single witness in such a manner as the ends of justice required. He would put the case of one of her majesty's accusers who had been dismissed from her service for stealing 400 napoleons. Was that fact to make him careless respecting the testimony and the character of the next witness? To prove this fact, he had two witnesses, one of whom was at Rouen; no Hanoverian baron, no Milan spy, but an English naval officer, who had fought and bled in the service of his country. This honourable man, he was aware, would turn the other witness out of court; but was that to make him less cautious about receiving the testimony of others? Surely not. He asked their lordships, therefore, under the awful sanction of their oath, as the queen's judges, if they would drive him into the defence of this case, without granting the delay which he now demanded, and thus prevent him from refuting one tittle of the evidence adduced against her majesty?—He again begged their lordships not to misunderstand him. He did not ask for any thing that might avert this prosecution, still less any thing that might delay the result when once the proceeding had begun: he only claimed a delay of the commencement, not of the result of the prosecution. The question was, whether this delay should be granted after the invisible tribunal—he begged their lordship's pardon—after the secret committee had reported, or before that preliminary step was taken. He was here assuming, with great humiliation, that after this secret preliminary inquiry had taken place—after the noise of it had been echoed over all the country—and that noise would be greater or less, according to the secrecy or publicity of the inquiry—after her majesty's character had been blackened over all Europe, without the possibility of putting one cross question to any of her accusers, their lordships would then at least allow the delay of a few months to enable her to bring forward her witnesses. He was assuming this because he supposed that there was no English tribunal—not even a Milan tribunal—that would deny an accused party some opportunity of defence. The only question here was, whether their lordships would grant this delay in a stage of the proceedings, when it would be essential to the defence of her majesty, or would withhold it till it would be useless, or indeed, till the sentence was in effect pronounced. He implored their lordships to consider that all her majesty's legal advisers asked was, that a mode of proceeding should not be resorted to which must inevitably lead to her condemnation whether she was innocent or guilty. He asked for her that only without which, in every British court of justice, no man could with safety go to trial, without which an indictment for any offence, and against any individual whatever, could not be sustained. He had a right to assume that the expressed opinion of one branch of the legislature would not be totally disregarded by the other, and he should therefore cite the authority of the Commons House of Parliament as at least worthy of the attention of their lordships. That branch of the legislature, including in it the movers and authors of an investigation into her majesty's conduct, had pronounced that such a proceeding would be "disappointing to the hopes of parliament, derogatory from the dignity of the Crown, and injurious to the best interests of the empire." He felt the more confident that their lordships would listen to his present application, when it was further considered, that he asked not that the result, but that the commencement of a trial, which the House of Commons had so characterised, should be delayed for two short months, and that legal murder should not be committed on the first subject of the land.

Mr. *Denman* followed.—He said, that in advising this petition to be brought down, he did not think that he was guilty of any violation of the forms of the House, or that there was any thing in that proceeding derogatory from the dignity of her majesty. He could not suppose that there were any motives of a personal nature, or any considerations resulting either from effect or connexion, that would make it improper in him to request any peer to present this petition. Still less did he doubt whether it was competent to be received. It had, in fact been received, and therefore it was unnecessary for him to allude any further to the consideration of the mode in which it was presented. He apprehended that every one who was injured had a right to petition that House; and if a petition was to be excluded, it remained for those who opposed its reception to show the grounds of a proceeding so contrary to the justice of their lordships. As to the mode of the present application, he apprehended that her majesty, as the first subject in the realm, had a right to petition or remonstrate in a case where her best interests, her honour, perhaps her life, were at their lordships' disposal. He was totally unable to define the anomalous character of the proceedings which had been instituted against her majesty; and when he looked to the judicial process that might arise out of this proceeding, he felt himself in a state of absolute doubt and uncertainty; he had to contend with shadows and clouds, and was ignorant of the next step to be taken. When these papers were thrown on the table of the two Houses of Parliament, he did not know that an impeachment was not intended to be founded upon them, and that consideration should have prevented their lordships from entering into any preliminary inquiry. He contended that their lordships had no right to assume that an impeachment might not be the course finally adopted, for bringing to punishment the illustrious person whose petition he was now supporting. He was aware that another course might be resorted to, and that by a bill of pains and penalties she might be degraded from her rank, and driven into exile. Either alternative was entitled to their lordships most serious attention. If their lordships were hereafter to be called on by the House of Commons to inquire judicially into her majesty's conduct, he would ask them to look at the situation in which this exalted individual was placed? A committee of fifteen of the most distinguished peers of that House, whose minds had been impressed by the contents of this bag, were to pause for a time on these impressions, and then to sit in judgment on her majesty's character, her honour, and perhaps her life. How was it possible for the most honourable mind to divest itself of prejudices so impressed? He would not expatiate on the manner in which this trash had been collected, but he would suggest to their lordships from the experience of what had occurred since the first of the dissensions between his majesty and the queen, the likelihood of worthless characters furnishing readily such evidence, however false, as they might deem to be acceptable. How little likely was it that a demand for such evidence should fail of receiving a full supply. He would not go so far as to say that any great exertions had been made to collect testimony of such a description; but it was enough to rouse suspicion that the desire to receive it was known to exist. But if, in addition to this, some wretches, for the desire of recommending themselves to favour, and to office, had been busy in raking together every filth with which the basest miscreants were ready to furnish them, their lordships would pause before they attached weight to evidence procured through such instruments. His hon. and learned friend, in alluding to the offices of such agents, had almost fallen on the words of the poet:—

"Some busy and insinuating rogue,
"Some cogging, cozening slave, to get some office,
"Hath devised this slander."

If such wretches had been at work, it was not likely that the most polluted evidence could be wanting in the greatest abundance. On these grounds alone her majesty's legal advisers wished for delay; and it would not be difficult to show that a compliance with the wish would ultimately prevent delay; for nothing was so likely to retard the course of justice, as leaving a cause half heard. He begged the House to reflect, that according to the mode in which justice was generally administered in this land, and which he would take the liberty of saying was very different from the proceeding adopted towards her majesty, the parties received notice to meet each other; and unless that course were pursued, the greatest temptation would be offered to subornation, and thus the course of justice was interrupted, and the difficulty of establishing guilt or innocence increased. It was therefore for the sake of a speedy termination of the prosecution—for that was the object nearest her majesty's heart—that the present application was made. When he considered the circumstances under which her majesty had come to this country—when he considered the situation in which she was now placed;—when he looked around the House and saw to what hands her defence was to be entrusted—he was sure their lordships would grant this delay for the ends of justice. He begged them to remember that one of the most distinguished peers that had ever graced that House, and been at the head of the administration of justice in this country—the great lord Bacon—had said, that "a judge ought to prepare his way to a just sentence, as God useth to prepare his way, by raising valleys and taking down hills; so when there appeareth on either side a high hand, violent prosecution, cunning advantages taken, combination, power, great council, then is the virtue of a judge seen to make inequality equal; that he may plant his judgment as upon an even ground."

Mr. Williams was proceeding to address the House, when the lord chancellor interrupted him, stating to their lordships that he believed it was not customary for more than two counsel to be heard in support of a petition. His lordship then put the question, and being decided in the negative, the counsel withdrew. The Earl of Liverpool put off the meeting of the secret committee till Wednesday, to give their lordships time to consider the desire of her majesty's petition.—Earl Grey gave notice, that if the noble lord persisted in proceeding by a secret committee, he should to-morrow state his reasons for proposing a different course of proceeding. The lords were summoned for to-morrow, and the House adjourned.

HOUSE OF COMMONS.

Monday, June 26.

CRIMINAL LAWS.] Sir *James Mackintosh* rose for the purpose of shortly stating his intention to postpone the further progress of some of the bills he had introduced into parliament in amendment of the penal code of this country.—In consequence of a conversation which he had had with the law officers of the Crown, he was aware of their intention to oppose three of these bills; and in the present state of public business, and when the mind of every member was occupied so deeply in the consideration of one unfortunate question, he should think it ill-became him to press forward those bills which were so important to the country. He entertained a reasonable hope that there would be time in the course of the present session to terminate the subject, but for the present he should only move the second of those bills on which he did not anticipate opposition. The Limitation of Forgeries bill, the Repeal of the Statute act relative to Larceny, and the Navigable Rivers Robbery bill, were the three on which he expected opposition. The other three he hoped his learned friend the attorney-general would allow to pass their second readings, leaving the discussion on them to take place in the committee, on the bringing up of the report.

The said bills were then read a second time.

KING'S MEWS.] Mr. *M. A. Taylor*, seeing an hon. friend of his in his place, begged to know whether it was the intention to re-open the king's Mews as a thoroughfare to the public? That passage, which had hitherto afforded great convenience to the public, particularly to the working classes, had been of late shut up. He wished to know whether, in the event of its not being re-opened, it was intended to make another thoroughfare, which would afford an equal facility to the public in that neighbourhood?

Mr. *Huskisson* said, he was not able to give the hon. member any satisfactory information on the subject. The Mews was not in his department, but he understood that its being left open as a thoroughfare, was only by indulgence. He did not know whether it was or was not to be re-opened.

Mr. *M. A. Taylor* said, he did not presume that the public had a right of thoroughfare through the Mews; he was only anxious to know, whether any steps were to be taken to remedy the inconvenience to the public.

MOTION FOR A SECRET COMMITTEE ON THE PAPERS RELATING TO THE CONDUCT OF THE QUEEN.] The order of the day being read, for resuming the adjourned debate on the motion, made on the 7th instant, "That the Papers which were presented to the House be referred to a Select Committee,"

Lord *Castlereagh* said, that in calling the attention of the House to the situation in which it was placed, after the proceedings which were had at the close of the last week, and particularly after what had occurred at the last meeting of the House, and considering also that the order of the day relative to his majesty's message stood for discussion that night, he must fairly own to the House what was his opinion of their present situation. After all the efforts which had been made, and to which, he trusted, the House would consider that his majesty's government had lent itself with the utmost readiness and anxiety, he thought that the House would now feel that every hope which could have entered into his mind at any time, and in whatever degree he might have ventured to entertain that hope (although he had always expressed himself with the utmost caution as to the final result) he thought that the House must now consider that every effort which had been made on the part of his majesty's government, and, what was more, upon the part of parliament itself, with the view of effecting an adjustment of compromise, had been at length exhausted, and that they could look to the termination of this painful subject in no other light than in that of a judicial proceeding. He thought they would feel that it now only remained for them to put both parties, with as little delay as possible, in that situation which they must occupy, pending the course of a judicial inquiry. Any thing which he should now say would be offered upon this principle, and he should feel it his duty to mention every thing which he conceived it necessary to suggest in order to enable the House to come to its decision. He wished therefore very shortly to call their attention to what had been the mode of proceeding up to the present time; and to state what was now the precise and actual condition in which the proceeding before the House stood. When he should have briefly submitted these two points to the House, it would better understand the course to be pursued.

From the moment that his majesty's government felt that it would be their duty, in the event of her majesty's returning to this country, to communicate that information to the House which now laid upon its table, they framed the line of their proceedings upon what they considered the most parliamentary course, and the one most consonant to the principles of justice. If after having done this, his majesty's government had consented to adopt the measure which had been recently proposed by the hon. gentleman on the other side, it was from no disposition on their part to shrink from the responsibility of any other form of proceeding, or to evade the examination of these charges, if the House should decide that examination was the course to be ultimately pursued. The mode of proceeding adopted by his majesty's government did in fact proceed upon what he conceived to be the soundest principles of parliamentary practice. They acted under this feeling—that although they would be far from disposed to shrink from such an examination of the charges they had presented to the House, or from any measure which should bring those charges, at present upon the table, in a distinct and intelligible shape before them, supported by such evidence as they were in possession of; yet government did conceive that parliament would not think itself warranted (as it had never been its habit to do so) to receive charges of this nature, and more especially when they concerned a party of such illustrious rank as the queen of these realms, unless it was in possession of some evidence which should satisfy it, that there was sufficient to establish a *prima facie* case for inquiry or examination. It did appear to his majesty's government, that it was an act of too serious and responsible a nature to receive from any individual charges of this character, in order to bring them under the notice of parliament, unless they first of all enabled parliament to ascertain whether there were *prima facie* grounds for entertaining such charges. This was the same caution which parliament had always exercised, that house had always required of government, by some means (and, if necessary, by other means than a committee), to put it in possession, as far as possible, of all the facts out of which the charges grew; and the practice was, that no such measure as a measure of inquiry, or any other to which he had alluded, should be gone into, until such information had been given to the House. The object in proposing the appointment of a secret committee was, to bring the whole case in detail before the House: it was not to be considered as a judicial proceeding complete in itself; but merely as that species of *ex parte* inquiry which parliament might require before it received a grave charge against a personage so illustrious. He had no hesitation in avowing that one motive, and a powerful, motive with ministers in suggesting a secret committee was with a view to the possibility of averting a more extended and public investigation. They conceived that, as long as the subject was in a course of examination before both Houses of Parliament, a satisfactory arrangement would be more within reach than if the first step on the part of the Crown had been more decisive and direct. But during the late discussions the case had undergone an important alteration. The first adjournment had been proposed and agreed to, that an effort might be made to prevent the necessity of any proceeding at all, by some compromise of a nature satisfactory to the feelings and wishes of all parties. It was perfectly true, that in the earlier stages her majesty had been advised to protest against what had been called a secret inquiry; and in her first communication to the House, in the form of a message, she called upon it to take measures that her conduct might be examined directly and openly, and that she should be informed of the nature of the charges against her, as well as of the evidence by which they were supported. Very recently also, in answer to the application of the House, to which he should afterwards again advert, her majesty had renewed her appeal to the justice of parliament, and more peremptorily, or at least in more solemn terms, had called herself "an accused and injured queen." It would not be forgotten, that on the first night of the discussion the subject was adjourned, in the hope of an amicable termination of existing differences; and although it failed in the first instance, the object of the intermediate postponements had been, if possible, to render needless any inquiry, whether secret or open. The opinion of the House had been carried up to her majesty, and no doubt many hon. gentlemen had persuaded themselves of a more favourable conclusion. Without attempting to cast blame upon any quarter, he might say, that something was fairly to be anticipated from the disposition professed by the queen to yield to the judgment of parliament. It had been thought that from the moment her majesty's legal character and dignity as queen were satisfactorily recognised—from the moment her rank and honour had ceased to be implicated—that all other matters would be secondary and subordinate, and that she would be willing to submit to the arbitration of one or more respectable individuals, regarding the questions of residence, patronage, and income. In favour of this supposition the House had given its solemn judgment; and if it were not confirmed by an unanimous vote, its opinion was expressed certainly in as authoritative a manner (authoritative he meant, as marking the strong sense of the great majority of the House upon the subject) as had perhaps ever been evinced towards any branch of the illustrious family to which the queen belonged. It was not, he believed, saying too much, to state, that the records of the country might be searched in vain for any approach by the House to a member of that illustrious family, or to any individual connected with the throne, more calculated to conciliate the feelings. The House by its resolution of Thursday last, had taken upon itself the task of deciding on public grounds, and had professed its readiness, on behalf of the character and reputation of her majesty, to be responsible to posterity, for any concession which her majesty might make to its wishes. He did not mean to allude to her majesty's refusal in a tone of reproach; but the House would feel, that if on public considerations it had thought fit to claim from the Crown any concession of the views it had been advised by its responsible servants to entertain, with a regard to national interests as important as those referred to by his hon. friend on the previous night, the Crown could scarcely have hesitated as to the course it must pursue. If the king had been recommended to disregard the opinion of the House, so decisively expressed, would it not have demanded who was the minister that had suggested a course so opposite to the wishes of parliament, and so injurious to the dignity of the Crown, and to the best interests of the country? It was, however, one among the many occasions on which the excellency and beauty of our constitution might be held up to admiration, that while the Crown could not act in a manner so directly in the face of the House of Commons, her majesty, under the responsible character belonging to her advisers, was competent to reject the appeal of parliament. That the queen had been unfortunately ill advised—that she might repent, for the sake of the country as well as for herself, the advice she had followed—was a question he should be sorry to be understood to pronounce upon. Certain it was, that the most serious and solemn appeal ever made to a member of the Brunswick family had, in this instance, proved unavailing; and the House must feel that it had exhausted every thing in the way of the exertion of its influence and authority; and that the only course, consistent with its dignity and the principles on which it had acted, was now to consider how it could put in a train of judicial investigation those charges, an inquiry into which had made one of the greatest efforts in the history of parliament to avert. Her majesty, by her answer, had renewed her claim upon the House for a complete investigation of the case: the question was therefore materially altered; and it became imperative on the ministers of the Crown, if parliament would receive from them a direct proposition for exhibiting these charges in a shape in which her majesty could no longer doubt as to their nature, or the evidence sustaining them, as far as possible to comply with her majesty's appeal to British justice. It became the imperative duty of ministers, or at least of those to whom the appeal of the queen had been addressed, to make themselves the instruments of that direct proceeding which her majesty had claimed, as most likely, under the view she took of the subject, to accomplish the ends of justice.

Having thus stated the grounds of the original proceeding, and the actual situation in which the House was placed, he should endeavour to explain what course, in the view of ministers, would best meet her majesty's wishes. The House would, no doubt, have remarked one expression in her majesty's answer, which supposed the possibility that the decision to which she had come might produce a feeling of dissatisfaction, if not of resentment. But he was sure, that so far from there being any disposition in the House of Commons, on that account, to pursue a course unacceptable to her, or not calculated to give the queen the fullest benefit of the principles of eternal justice, it would, on that very account, be most anxious by its actions, to guard against the remotest suspicion of the kind. He was prepared on the present occasion to give notice of a motion, which he should found upon her majesty's answer to the resolution of Thursday last, although he was sure that the House could not expect him to enter into a description of its precise nature and object: it would have this distinct character—that it would be calculated to put her majesty, the House, and the country, in possession of the charges involved in the information upon the table. If it should please the House to entertain such a proceeding without going through the preliminary form of ascertaining whether a *primâ facie* case existed, his motion would have this characteristic of the proceeding which her majesty called for, viz., that it would be a proceeding completely open in its character, and it would be, necessarily, the duty of those submitting such a case to follow it up by producing the evidence to support it. The only circumstance which would govern his proposition, with respect to the day on which it was to be brought forward, was one which, from the very outset had influenced the conduct of ministers, and would have influenced it if the measures had taken their original shape. He must so far advert to what had already passed, as to mention that government had felt, in the first instance, that a reference of the subject to the consideration of the two Chambers of Parliament, who might possibly come to contradictory decisions, might introduce a considerable awkwardness; or, if the two committees agreed in the proposition that a *prima facie* case existed, a doubt might still remain as to the question from which branch of the legislature any ulterior proceeding should take its rise. Nothing could be more open to objection, nothing more embarrassing and prejudical to the best interests of justice, than that two proceedings of a judicial character should be conducted at the same time. Of course he did not mean to confound a *prima facie* inquiry with an investigation into merits; and he felt some pity for the intellects of those who did confound them. He thought that there could not be two opinions regarding two contemporaneous inquiries; and he hoped to have some of the cheerers on his side, when he said that nothing could be more absurd than to have a judicial proceeding conducted in both Houses at the same time [Hear, hear!].

If, then, both reports had concurred that ulterior measures were indispensable, the question would necessarily have arisen, where those measures were to originate? He hoped the House would not suppose, that, in what he was about to say, he was inclined to undervalue its capacity to discharge any of those judicial functions which at times formed most important branches of its duty: but he had no hesitation in stating, as far as his judgment and that of government could have influenced the decision, that he should have recommended the House of Commons, after making its report, to wait a reasonable time, to ascertain what steps might be adopted in the other House of Parliament. If these steps appeared calculated to satisfy the ends of justice, they would originate with many advantages elsewhere, and upon no grounds more than that the House of Lords was a body in more judicial habits than the House of Commons; it would have been their function, also, to investigate the subject with more solemnity, and to submit all the evidence to the test of an oath. Government felt that it was a case of the most important nature; any charge affecting the queen of these realms was too important to be submitted exclusively to one chamber only; for this reason, the communication had been made, in the first instance, to both; and the mode in which the proceeding would ultimately reconcile itself was, that after the previous and preliminary investigation, it would be more advantageous that the House of Commons should wait for such a proceeding as the Lords might think it right to institute. He, therefore, wished it to be understood, that in fixing a day for his intended motion, he should name one sufficiently distant to enable that House to ascertain what proceeding should originate with the other branch of the legislature—sufficiently distant at least to give the House of Lords an opportunity of forming an opinion upon this most grave question. On the other hand he should be reluctant to appoint a period which should appear to postpone the case beyond the time justice and necessity required; or needlessly to defer an acquiescence in her majesty's appeal, contained in the first instance in her message, and reiterated in her answer. Weighing these two considerations, he should propose Thursday se'nnight, when he should be prepared to offer a motion to the House, founded in a great measure upon the answer of her majesty to the resolution of Thursday last. From that motion he should desist, if in the mean time the House of Lords commenced any judicial proceeding, which in its character must necessarily come under the view of the House of Commons. Having waited until the day he had mentioned, after all that had passed, after the broad avowal that the communication on the table contained matters of grave charge against the conduct and character of her majesty, even if it should turn out to be the decision of the House of Lords not to adopt any ulterior measure, he should owe it, as a debt of justice to the queen, to endeavour as far as possible to put these charges and the evidence in such a shape as would best tend to give her majesty the means of completely vindicating her character.

He had now nothing further to submit, than to state what he conceived the becoming course to be pursued on this occasion; and, under the new circumstances to which he now already referred, he did not feel it at all incumbent upon him to adhere to the recommendation he had first suggested, on laying the king's message on the table. At her majesty's call, he was prepared to take a course more consistent with her wishes. Whatever difficulty the House might have felt in the first instance (and he thought the House ought not, without great reluctance, to have permitted any minister to put so illustrious a personage under charge, without the production of *prima facie* evidence), it was, in a great measure, he should hope, entirely relieved from it, by the repeated claims for open inquiry on the part of the queen; and consistently with every principle of right at the instigation of the individual chiefly concerned, it might permit that, which could not otherwise be allowed without a preliminary investigation. The course he intended to suggest was this—that the debate on the king's message (the substance of which, in truth, was, that the House should proceed to decide on the manner in which it would investigate the matters on the table) should be further adjourned until the day immediately subsequent to that on which he proposed to bring forward his motion. The effect of such an arrangement would be this—that if the House concurred in his proposition—supposing the other branch of the legislature to have taken a direct proceeding in the mean time—it would supersede the necessity of instituting any inquiry here, either preliminary or direct. If the House of Lords, on the contrary, should fail to take a direct proceeding, he would bring forward his motion. With respect to the reception which he expected his proposition might receive from the other side of the House, he perceived that the right hon. gentleman opposite was communicating with his hon. and learned friend on the subject; perhaps something had previously passed between them. Certainly he had heard that objections were to be made; but he had never conceived that it was within the scope of the right hon. gentleman's mind to bring forward such an objection as that to which he now alluded. He had heard it insinuated that the House, in the mode in which it had approached her majesty, and in the wording of its resolution, had determined that the transactions, *ipso facto*, were buried in oblivion, and that no future steps, whether direct or preliminary, could be taken regarding the charges on the table. He alluded to the words at the close of the resolution, that such an inquiry was "derogatory from the dignity of the Crown, and injurious to the best interests of the empire." True it was, that the House, by a majority of 391 to 124, had decided, that such an investigation was, if possible, to be avoided; but it had not determined that it ought not to be permitted at all. The course of his hon. friend's speech was, that his motion was the last means of conciliation; and that, if it did not succeed, there was no alternative but inquiry. His hon friend wished to carry the resolution to the illustrious personage concerned, as the last resort to avert an investigation painful and detrimental; but not for the purpose of extinguishing all inquiry. He (lord Castlereagh) begged leave to say, that he drew exactly an opposite inference from the words which he had quoted from the resolutions. Gentlemen on the other side did not seem to acknowledge that his argument was well founded; but he was prepared to contend, that those words were not only highly proper in themselves, but that they formed the justification of the reserve displayed by all parties; and particularly explained and illustrated the whole conduct of government, both prior and subsequent to the return of the queen. Ministers had always been satisfied in their minds and consciences that their most sacred duty to their sovereign and their country was never to bring this subject before parliament, or any other tribunal, if, by any management or effort on their part, consistent with honour and propriety, they could avoid it. An individual of the illustrious rank of queen of these realms could not be placed in a situation of charge, without injury to the dignity of the Crown, and the best interests of the country, whatever might be the result. Every exertion of a prudential kind had, therefore, been employed to prevent the communication to parliament at all; but ministers were left without a choice by the precipitate return of the queen, to claim the full advantages of her rank. Every effort thus failed; every delicacy they had shown to supersede the necessity of disclosure, and to throw a veil over the transactions referred to in the papers on the table, had been disappointed. Even after the return of her majesty, when parliament was told that she was disposed to listen to their authoritative voice (and it was not too much for her majesty to consider the voice of parliament authoritative, and its exertions as likely to protect her honour and character as the arbitration of any private individual), his majesty's government had shown every disposition to accommodate.

If, after all these endeavours, her majesty were still determined to drive the question to a public inquiry, he trusted that neither in reason, nor in common sense, would any man attribute to his hon. friend who served his country so usefully, disinterestedly, and ably, so extravagant and untenable a proposition, as that the resolution he had proposed should at once put a stop to all future proceedings. He trusted, therefore, that no more would be heard of such quibbling reasoning. He was confident that the manly mind of the right hon. gentleman (Mr. Tierney) disavowed it. He trusted that the House was acquainted both with its situation and its duties; and that, however reluctantly the subject might be forced upon it, it would be determined to see the ends of justice accomplished. A calamity, indeed, had fallen upon the country—no honourable exertions had been able to avert it; and he hoped that parliament would now resume its ancient character for dignity and moderation, and that, in the course of the distressing examinations which now appeared inevitable, the voice of party would sleep, and the efforts of faction be suspended. The House, as the great council of the nation, ought to exhibit itself in its constitutional and dignified character; divested of all angry passions, and free from the influence of all personal interests. Most of all, he hoped that that tone of feeling would be absent, which, though it might belong to politics, could not belong to justice. Upon all these grounds, he felt it his duty to give notice, that on Thursday se'nnight he would charge himself with bringing forward a specific motion, founded on her majesty's message, if, in the mean time, a proceeding of a judicial character should not have been commenced in the other House of Parliament. With a view not to embarrass the House on the question whether preliminary inquiry should or should not be undertaken, he intended to postpone the further debate on the king's message until Friday se'nnight. In making these propositions, he was influenced only by a desire to meet her majesty's claim for justice. The noble lord then moved, "That the debate be further adjourned till Friday se'nnight."

Mr. *Brougham* said, he entirely, and from the bottom of his heart, concurred in the concluding observations of the noble lord; and he implored all sides of the House at that moment, at the commencement of an inquiry now inevitable, not to let the spirit or the voice of party interfere in their decision, not to let any shadow of factious or personal feeling throw itself across their path, lest it might interfere in any manner with the attainment of public justice. On the part of her majesty he had to express his infinite satisfaction—a satisfaction which was but the reflected image of her own—that at length justice was to be administered according to law, and on the principles of the constitution; that they were to hear no more of the dark, inquisitorial, unjust, and as he should say, illegal proceedings, which in the first instance they had been invited to adopt. There was at length an end of that species of inquiry which it was the tendency of the message, and of the bag, to cause to be instituted against the illustrious person to whom their contents applied. The claim of this illustrious princess from the first, was for an open investigation—her protestation was against an invisible tribunal. An open investigation would be at length afforded, but he begged to say that it was not to the noble lord—it was to the parliament, that in the name of her majesty he felt indebted for this act of justice. They pronounced with one loud unanimous voice that the show of inquiry first proposed by the noble lord should not take place. Having said thus much on the part of her majesty, he would now beg to make a few observations on what had fallen from the noble lord. Long as he had admired the talents of the noble lord, he never before had such an opportunity of seeing the great extent of those abilities—of the noble lord's subtilty and dexterity. It now appeared that it was not because his majesty's message and the bag had been delivered to them—it was not to meet the wishes of parliament—it was not in deference to the feelings of the nation—no, nor even for the purposes of public justice—no, nor even as a matter of great state necessity, that they were called on to go into this painful, distressing, and tedious investigation, but it was because her majesty in her answer to the address delivered on Saturday last had said that she defied all public investigation, that she dreaded only secret proceedings, and threw herself with confidence on parliament and the country for a trial according to the principles of the constitution. But was it on Saturday last that she had, for the first time, done so? Her majesty said from the beginning that she defied her enemies—that she only dreaded a secret tribunal. He spoke before the parliament and the country, in the spirit of English law, and on the principles of the British constitution he condemned that secret tribunal which the noble lord had meditated. The night after the bag and the message had come down to that House, her majesty's message had been delivered to them. In that message her majesty informed the House of Commons that it was that day fourteen years since the first charges were brought forward against her majesty; that then, and upon every occasion during that long period, she had showed the utmost readiness to meet her accusers and to court the fullest inquiry into her conduct—that she now also desired an open investigation in which she might see the charges and the witnesses against her, a privilege not denied to the meanest subject in the realm.—Why then, he asked, did not the noble lord a fortnight ago comply with the wishes of her majesty? On Wednesday, the 7th of June, her majesty sent that message to parliament; she defied her opponents, she challenged inquiry, she demanded an investigation; the challenge was not accepted, the demand was not listened to. But now it appeared that all difficulties were removed. It was now discovered not to be quite right to proceed to the trial of a queen by a secret tribunal—that it was, in fact, a violation of justice, at the outset, to commence proceedings in that form. This scandalous investigation was to proceed publicly, because the noble lord said that the queen was anxious to put herself on trial; and he could not in gallantry or politeness refuse her.

Having said so much in order to show the dexterity, the subtilty, and *tactique* of the noble lord, he would now declare, in her majesty's name, that she felt happy in the prospect of public inquiry; she was happy that that inquiry, so long refused, was at last afforded—that inquiry she would fearlessly meet, and by that inquiry she would either stand or fall. Whatever the noble lord might suppose with reference to any communications which might have been made by his right hon. friend (Mr. Tierney) to his neighbours, he (Mr. Brougham) had only to say that his right hon. friend made no communication to him; his right hon. friend did not favour him with his sentiments on this subject; if all that had passed between them with respect to this question, either in the House, or out of the House, were put together, it would not take up the space of three sentences, and even those of a nature neither important nor confidential. He stated this to show how little the spirit of party or of politics operated in this affair; and partly to save himself from the charge of any communication having been made to him. As to the course of proceeding chalked out by the noble lord, though it was not very distinct, still it enabled him (Mr. Brougham) to perceive that the proceeding must depend on proofs to be attained elsewhere. The noble lord had said, that her majesty was the first Brunswick who rejected the address of the House of Commons, He had also stated that that address was carried by a large majority—by 390 members; but he might have said, that the number in point of fact was much greater. From communications that he (Mr. Brougham) had had with several members among the minority of 124, he knew that they voted against the address on the sole ground of holding a different opinion with respect to her majesty's name being omitted in the Liturgy; so that instead of 390, it might be said that 500, certainly 450 members, were in favour of the address to avert inquiry. The address expressly stated, that those public discussions, whatever might be their result, could not but be distressing to her majesty's feelings, disappointing to the hopes of parliament, derogatory from the dignity of the Crown, and injurious to the best interests of the empire. The noble lord had attempted to explain away the plain meaning of that vote. He said it was the last attempt at negotiation, and was agreed to with the understanding that, if her majesty refused, it would become necessary for the two Houses of Parliament to proceed on this inquiry.—Her majesty certainly had no objection to this inference; but the House ought to pause a moment, and examine the true force of such expressions. They had pronounced their opinion, that an inquiry—whether needless or necessary was not then the question—must be injurious, if not fatal. But what was the nature of the noble lord's conduct? To his astonishment, to the great astonishment of the House and the country, the noble lord was the first to concur in voting for the address to the queen. The noble lord brought down the message of the king; he brought down the green bag; he brought forward a motion of inquiry, and the very next day, instead of moving for a committee and following up the inquiry, he stepped aside, and gave his strenuous support to an address, which stated, that the inquiry he sought for would prove derogatory from the dignity of the Crown, and injurious to the best interests of the empire. Whether the House was prepared to pronounce that a necessity existed for an inquiry was another question. All they knew of the necessity was this—it resolved itself into one point—one action only of her majesty's could be found fault with, and that was, that she came to England. From that arose the case of necessity—no other case was pretended. Because her majesty had arrived in this country, the House was about to proceed on an inquiry which they had declared to be derogatory from the dignity of the Crown and injurious to the best interests of the empire.

With respect to the conduct of the House of Commons, whether they acted wisely or unwisely in offering the advice they offered on that occasion, he would not stop to inquire. He would only add, and it was necessary to do so, not for the purpose of exculpation where no charge was brought, or of shrinking from a responsibility which he would rather court, but simply in justice to her majesty, to show how little she feared inquiry, to show how highly above all other considerations she prized her character and her honour, that before her majesty delivered her answer to the address of that House, all considerations on this subject, every fact that came within the knowledge of himself and of his hon. colleague, were humbly and respectfully submitted to her majesty. Every view of the state of the former negotiations, and above all, right before her eyes was placed the fact, and the conviction was never one moment absent from her majesty's mind, that a refusal on her part to the proposition of that House would lead to a full investigation of all the circumstances of this case. With all this information and these suggestions before her, her majesty, with a fearlessness, which, in the history of human action, nothing but conscious innocence ever inspired, expressed her deliberate, her unbiassed, and resolute determination to abide by the consequences of the step which she was taking. Out of that statement arose a few observations which he begged to submit to the House. He hoped the House would not be disposed to judge hastily or harshly because compliance had been refused with their request. In the first place, her majesty felt that she could not, with a just regard to her honour and her injured fame, accede to the wishes of the House; and surely the House would respect her feelings. The noble lord had said, that her majesty was the first Brunswick that refused to accede to an address of the House of Commons; she might have been the first of the Brunswicks that had done so, but it ought to be recollected that she was the first Brunswick, nay the first queen of England, nay the first queen in Christendom, who had been placed in a situation so peculiar and so distressing. Addresses to former queens were of a nature far different indeed from that presented to her majesty. Messages of congratulation or of condolence, and even communications of complaint, asking for the abandonment of a favourite measure, or the dismissal of a favourite servant, were very different from the late address presented by that House to the queen. Her majesty felt that that address called upon her to dismiss all regard for her own honour; that conviction with a man would necessarily prevent all negotiation, but the delicate sense of female honour, in a female too so illustrious, called on her emphatically to reject negotiation; she felt that she was called on to make a sacrifice of her own self-esteem—of her character, and of her honour. If she felt in danger the House would not—could not blame her for the part she took. He made these remarks in extenuation, if they could not be received as a complete vindication by those who heard him. The House were now at issue with her majesty—they were opposed to her—they were repulsed by her—they were offended by that illustrious person—in a few days they were nevertheless to become her judges. He would implore them to dismiss all party bias—all political feeling, in honour to themselves, and, as they regarded the call of justice, he called upon them to dismiss from their minds every feeling of prejudice against her majesty, and every recollection of any supposed offence.

It seemed that the noble lord would proceed on his motion as a measure of legislative proceeding. Whether it would be so or not, the motion of the noble lord must lead to an inquiry. At what time it would be meet to carry on that inquiry he would have yet to argue with the noble lord; but he begged thus early to put in his claim, and to state the grounds of delay on the part of her majesty. He was unwilling even to mention the word delay, from the fear of misconstruction; the queen was ready and anxious to proceed; she deprecated all delay, but there was one delay necessary, unavoidable, inevitable. The place of her majesty's late residence was three weeks journey from England, and it would take of course three weeks more to return, besides it would occupy a considerable time to find witnesses; the consequence of that would be, that if the House should go into an inquiry on Thursday se'nnight, whether openly or secretly, whether by motion or by bill, he cared not which, it would be highly injurious to her majesty, and subversive of justice. The inquiry against the queen was easy, it was merely to read over certain papers and examine half a dozen of witnesses.—If it should be an open inquiry, the whole country would see it; if a secret committee, composed of from 21 to 17 members, he might say, in the words of the adage, "the more private the less likely to be kept." He would wish to know, whether, through hon. members, those particularly who had wives and daughters, who would be naturally filled with solicitude to know what was going forward, this secret proceeding was likely to be kept secret for three or four months? He believed that some part of the evidence would be likely to find its way through those orifices which commonly communicated interesting information. Though all might not be communicated, the venom would be sure to circulate. Let any man put himself in the situation of her majesty, or of any female relation of her majesty—of those who ought to be her natural protectors—and he would easily imagine the fatal effects to character which must ensue from such a state of things. It would at least be four months before her majesty could be prepared with her proofs. The claim which he put in was a claim of paramount justice; it was simply to enable her majesty to place immediately in position with the case against her the evidence for her acquittal. It was to guard against the prejudice which might arise from the long impression of a charge heard *ex parte*, and against the probability of its being divulged, that he made this application on her part. Let it be recollected that her majesty did not seek to delay, no not for one hour, the ultimate result; all that she asked for was, that the two parts of the inquiry might go as nearly in point of time as possible—so that evidence might not be divulged—so that her counsel might have an opportunity of examining witnesses, and reducing to a regular shape the evidence, *pro* and *con*. He was anxious to avoid all delay; he asked for no delay of judgment, but that delay which was essential to the principles of substantial justice. In considering this appeal, he trusted that every gentleman would lay it to his heart, being convinced that the more it was considered, the deeper would be its impression. Before he concluded, he must again congratulate the House and the country, that the open inquiry which her majesty had never feared, but anxiously sought, was about to be instituted.

Colonel *Palmer*, in offering himself to the notice of the House, was anxious to explain the motive of his conduct with respect to the question before it, and begged to be understood, in the vote he had given on the former night, to express no opinion whatever, as to the charges on the table; but without questioning the propriety of its decision, he could not concur in the resolution of the House, recommending to her majesty to make that concession which he could not, consistently with his own feelings, have made himself under the same circumstances.—If he thought that an inquiry into the charges would in any degree promote the honour or interests of the Crown, no individual could desire it more anxiously than himself; but it was from his conviction of the great and inevitable injury that it threatened, and his perfect concurrence in the language of the resolution, that it must be derogatory to the honour of the Crown, and the dearest interests of the empire, that he considered it to be his bounden duty to oppose it. He considered such opposition to be still more the duty of those who voted for the resolution, who were bound not to express or act upon any opinion at variance with it. They had given her majesty credit for the justice of her feelings; and to persuade her to make the concession required, they assured her that it would not be considered as a wish on her part to avoid inquiry, or as proceeding from any motive whatever than a desire to comply with their wishes; but their bringing her to trial after this, would be a proof that they would not have given her credit for the motives they professed, if she had acceded to their wishes. How could the House consent to an inquiry in the face of all the inevitable evils to the Crown and the country, which they had predicted, and all which might be prevented by restoring her name to the Liturgy, its omission from which all parties had condemned as an unjustifiable act, and which he considered in other respects as a most improper act on the part of men who complained of the revolutionary principles, infidelity and disaffection to the Crown that were prevalent in the country. Surely that was not a moment to raise doubts or questions among the people as to the forms of our religion. He could not have believed that the hon. member for Bramber, who, of all persons, was looked up to as the great supporter of religion, could have countenanced, in his opinion, so unchristian-like a proceeding, that in a prayer which comprised all ranks and descriptions of persons, her majesty should be alone omitted; and he begged that hon. gentleman to consider the injury that the Crown would suffer in the country, from the nature of the observations that would be made upon it. With respect to the charges; whatever they might be, the country would not listen to them after the conduct of ministers. The speech, or rather the defence of the right hon. the president of the board of control, had influenced him more than that of the hon. and learned gentleman, her majesty's legal adviser, and had indeed convinced him of the necessity of stopping the inquiry.—The speech of the hon. and learned gentleman, powerful as it was on the points to which it applied, was naturally received with caution, as partaking of the nature of the defence of an advocate; but the speech of the right hon. gentleman came from a person who, as minister of the Crown, had brought down the charges against her majesty. The right hon. gentleman described her majesty as the grace and ornament of every society, and had stated that he felt for her majesty the utmost esteem, and regard and affection. The right hon. gentleman had retained this opinion after the proceedings and evidence on the former investigation, up to the time, in short, of her going abroad, when the passions and effervescence, if he might so call it, of her youth had subsided, and when what the right hon. gentleman called "the unsuspecting generosity of her nature" must have been taught caution by experience. Either the right hon. gentleman must have grossly deceived himself and the House, or her majesty must be innocent. But he (col. P.) thought the right hon. gentleman could not be deceived himself, and had no motive to deceive the House. Though the right hon. gentleman denied that he was the accuser of the queen, he (col. P.) asserted that he was—that he was bound as a minister to substantiate the charge which he had brought forward. Unquestionably, the right hon. gentleman would have shown more consistency, if, instead of talking of his feelings, he had acted upon them.—If, instead of telling them of the sacrifice he would have made for her majesty, had not his sense of duty to his sovereign and his country prevented him, he had made the sacrifice, he would have done his duty more satisfactorily and intelligibly, not only to his sovereign and his country, but to her majesty and himself. But he (col. P.) was bound to receive his evidence, which was the more invaluable to her majesty, as coming from the individual so competent to form an opinion, and whose judgment was not to be disputed by those, who, like himself, had never seen her majesty, but had formed their opinion from the former evidence, in the face of which he had bestowed such unqualified praises upon her. With respect to that evidence, it had led him to form a different opinion of her majesty, which he had been at no pains to conceal, as he could not anticipate being placed in the situation of a judge upon her trial. He had felt, on the evidence which had formerly been published, that he could not, if the case of the king had been his own, have ever again lived with her majesty. But the right hon. gentleman, who had read the evidence also, had been enabled to reconcile that which appeared to him (col. P.) to be incompatible with the description he had given of her character, and from the opportunities he must have had of observing, his judgment could not be disputed, and her majesty would derive the greatest benefit from his admission. Looking to this, and all the difficulties in establishing the charges, which appeared to him to be invincible, whilst the Crown would be exposed to all the odium and injury that must attach to it under any result, the House were bound, by every consideration for its honour and interest, to resist this inquiry. If the public had demanded inquiry, it must have been acceded to; but it was just the reverse,—the whole country set their faces against it; and there was but one opinion as to the unmanly conduct of ministers, and those unnecessary insults which had driven her majesty to come over to this country, who would have remained abroad, had she been suffered to remain upon the only terms on which her life was worth holding, viz. not degraded, and as an outcast from society. In the case of the duke of York, the voice of the country had imposed investigation upon the House, but in the present they were decidedly against it. If the Crown could obtain a divorce by the result of this inquiry, he should consider it to be his duty to consent to it, but that was declared to be out of the question, and he could not agree to incur all the evils that must ensue, when the object could not be attained. It was solely, therefore, from motives of duty and attachment to the Crown, its honour and best interests, that he should continue to oppose all inquiry into this unhappy subject.

Mr. *Bathurst* said, he lamented the absence of the hon. and learned gentleman, though he knew he was called away by his duties, in another character, in another place. The appointment of a secret committee had been proposed because the subject of inquiry was of a most delicate nature, and because many circumstances might otherwise be divulged which would defeat the end of that inquiry. His noble friend had, however, now superseded this form of proceeding, by undertaking himself to bring forward some specific proposition. The House would know how to defend itself against any charge of inconsistency in now entering upon inquiry after the expressions contained in their recent vote. It appeared to him that nothing could be more unfounded than such a charge. With respect to the assertion that ministers possessed no evidence that could support their case, he would put it to the general feeling of mankind, whether it was possible that any set of men could place, in the shape of a charge, and, what was much more, bring before parliament, matters of little or no importance? The hon. and learned gentleman had talked of the prejudices which would be excited against her majesty. In every judicial inquiry there was some prejudice excited. Whether the investigation preliminary to the specific charge were public or private, prejudice must arise. If the preliminary investigation were public, the prejudice he imagined would be the greater; for her majesty would hardly be advised to make two defences, one in the preliminary, the other on the final trial. On this ground he had always thought a secret committee the preferable course.—Whether the oath of secrecy imposed in such cases was effectual, he would not pretend to say; but he trusted at least the information would not get abroad in the way hinted at by the hon. and learned gentleman, viz. through the wives and daughters of the members. The noble lord who now gave notice of a substantive motion could not be accused of precipitation, and unless the House was prepared to say, that what was understood by the queen as a declaration that the proceeding should go on in the case of her refusal, was a mere brutum fulmen, an empty threat, they could not now prevent the noble lord from going on. The charges could not now be withdrawn in the way of conciliation. After the business was introduced, it could be disposed of but by one of two ways—either by the king, who sent down the message, withdrawing the charge, on the ground that it could not be substantiated—that there was nothing in it that could be supported —or by the House addressing the Crown to take that step. But was it possible that the House, in a case so nearly connected with the honour and dignity of the Crown, would refrain from examining it, and, instead of proceeding to an investigation, would request of the party complaining to give it up? The hon. and learned gentleman had said, that all this arose from the circumstance of her majesty coming here; and certainly in one sense it did. But how did it become necessary that her majesty should make her appearance here? Her majesty was apprised, over and over again, that if she took such a step, a charge of the nature now exhibited would be made against her. If her majesty thought proper to come to this country after such a notice, no blame could be attached to ministers. As to the proof on which that charge rested, and all the circumstances with which it was connected, they could only be known and understood by those who had seen and weighed the evidence. The present was not the period of time when it was fit that that question should be brought under consideration. Indeed, it was possible that the motion might not originate at all in this House; and it was evident that the defence must be taken up in the place where the proceedings originated. He believed the course had usually been, when the bill was brought in on the charge, that a day should be fixed, more or less distant, according to the necessity of the case, to give the accused party an opportunity of preparing for the defence. As soon as the prosecution closed, the case of the defendant began. There would now be no fear lest the secresy of a committee should be violated, since it was meant to proceed by bill, and there could be no substantiation of the charges, and of course no disapproval of them, until the bill was produced. He stated this, because he wished to show that no intention existed on the part of his majesty's ministers to take any hasty step that might be prejudicial to her majesty's cause.

Mr. *Western* rose for the purpose of entering his protest against the motion of the noble lord, and, in doing so, he would shortly state the reasons that induced him to come to this determination. He protested against the motion, because the effect of such a vote would be to pledge the House, directly or indirectly, to an approval of the measures pursued by the noble lord, with a view to the projected inquiry. The sense of the whole country was distinctly and evidently opposed to such an inquiry, and the sentiments of the House, when the subject was mentioned on the first night, were shown to be distinctly and decidedly contrary to any investigation of this green-bag. The noble lord had, he thought, drawn a very incorrect inference from the decision of that evening, as well as from the subsequent decision on the resolution of the hon. member for Bramber, for which he had voted in common with the majority of the House. When the noble lord made the original motion, he laid this green-bag on the table, and called on the House for immediate inquiry. The House, however, decided when an alternative was held forth that it ought to be adopted in preference. Why had not that alternative been properly followed up? Had not the whole country expressed a clear and decided opinion that the inquiry was not fit to be gone into? The country had adopted that opinion, for this plain reason, because it appeared that the inquiry, which was at first described to be of a criminal nature, was, at another period, admitted to relate to matters that were capable of an amicable arrangement. It was also on this obvious ground that the House had given an opinion that the inquiry should not be gone into. The proceeding was perfectly novel. There was, in fact, nothing like it in existence. Ministers thought proper to bring forward a direct criminal charge, and, almost at the same moment, they declared it to be capable of negotiation and amicable adjustment. The House felt the incompatibility and irregularity of these proceedings; and, in their decision, had acted clearly on the principle of justice, as far as related to the illustrious individual who had been brought before parliament. Up to the present moment the House had acted in a manner compatible with its own character and dignity, although it had been placed in a situation of extreme difficulty by the conduct of the noble lord. The noble lord had brought down a message from the Crown, in which the king stated, that he had, for the information of parliament, directed that evidence, relating to the particular matter alluded to in that communication, should be submitted to them, and on that evidence his majesty called on the House to express an opinion. Now, it would have been most difficult for the House to decide, that they would not grant the advice which his majesty called for; nor indeed could the House have been induced to refuse it, unless under circumstances of a very particular nature. When the House came to an understanding that the documents were of a criminatory nature against her majesty, and when the noble lord communicated to them that a negotiation had taken place, the failure of which led to this criminal charge, the House said, and wisely, "the meaning of the vote of adjournment this night is, to tell ministers that they must prosecute that negotiation, if the charge be of a nature to admit of an amicable arrangement; but we will not go on with a criminal inquiry." The House did, by that adjournment, free itself from the necessity of coming to a determination on the motion of the noble lord: the only intelligible meaning of the proceeding was, that if any alternative presented itself, such alternative should be acted upon. A negotiation took place, and it was said that considerable advances were made towards its successful conclusion; but there did still remain points of considerable difficulty. The House, following up the principle of conciliation, then adopted the resolution of the hon. member for Bramber. He (Mr. Western) concluded, after a long and painful consideration, that that resolution was fit to be adopted, since, perhaps, her majesty might be induced to acquiesce in the advice which it contained. It was, however, impossible not to see that this was a point in which her majesty alone could determine—a point of so much difficulty and delicacy as rendered it necessary that it should be left to the impulse of her own feeling and judgment. No imputation could, therefore, attach to the rejection of a proposition which stood in such a peculiar situation. So far, the business was followed up with an earnest desire to conciliate.—But if the present motion were adopted, it went to sanction, altogether, a proceeding by inquiry, and must give rise to an idea that would imply the approbation of that House to the proposition originally made by the noble lord—an approbation of that secret committee which the noble lord called on them to institute, in order to inquire into the evidence that had been laid on the table. He entreated the House not to make itself a party to these proceedings, nor to any measure that had been, or might be adopted in another place. The House was placed in a most difficult situation, out of which he hoped it would come in a manner consistent with its dignity, and satisfactory to the great body of the public. He knew the country, from one end to the other, was adverse to inquiry, and he trusted that the House would not commit itself, by adopting such a measure. The noble lord called on them to adjourn the question, in order that they might hear certain propositions which he would lay before them on Thursday se'nnight. Why, he asked, should the House adjourn the debate till that day? The noble lord had abandoned the proposition and proceeding with which he originally began, and now having condemned his own former line of conduct, he called on the House to adjourn; and for what necessary purpose? For none whatsoever. Let the noble lord, if he pleased, come down on Thursday se'nnight, and make his new proposition—let him bring down his new bag—let him take as much time as he thought fit to decide on his project; but let the members of that House wash their hands of it all. With that view of the case, after having maturely considered the subject; after having on the first day voted for the adjournment, after having supported the motion of the hon. member for Bramber, which he thought was the most proper measure for the House to pursue, instead of refusing to give the advice called for; he felt himself compelled to protest against the proposition of the noble lord. He meant to take the sense of the House on the question; but whether he should effect his object by moving an adjournment of the debate till this day six months, or by some other way, he could scarcely determine. The specific motion was not, however, of so much importance as the object he contemplated. In what he had said, and in what he was about to do, the House, he was convinced, would feel that he had acted solely from a sense of what was due to its honour and character. He would conclude by moving, as an amendment to the motion of the noble lord, to leave out the words "Friday se'nnight", in order to add the words "this day six months" instead thereof.

Mr. *S. Whitbread* said, he objected entirely to the measures that had been pursued by ministers since her majesty's arrival in this country, and more particularly to the motion brought forward this day; because it appeared to him, that ministers, by proposing measure after measure, and scheme after scheme, were endeavouring to delude the House into some sort of sanction of what they had done. In opposing the resolution of his hon. friend the other night, he did so, not because he would interpose any bar to an amicable adjustment of their differences, but because, when that resolution was put into plain words, it amounted to this, that the queen should be requested to submit to a gross insult, which must have the effect of degrading her for ever. With the same feeling he now begged leave to second the amendment which had just been moved, and which, he felt no doubt, would be approved of by the country.

Mr. *Tierney* said, the noble lord appeared to be in a more awkward situation than that in which he had been placed on a former occasion. He came forward apparently with the assumption, that whatever he proposed for adoption would be agreed to. He hoped the noble lord would find himself mistaken on the present occasion, as the subject was one of the most important that could be conceived, and affected, most nearly, the honour, character, and dignity of that House. It was necessary, before he proceeded further, that he should correct a mistake into which the noble lord appeared to have fallen with respect to him. The noble lord deprecated the introduction of party feeling into the discussion of this question; but the noble lord would have carried that feeling into his (Mr. Tierney's) quarters, if it had not been for a casual shake of his head, which the noble lord had utterly misunderstood, and which would warn him never to shake his head in the noble lord's presence again. He (Mr. Tierney) was at the time talking to an hon member on the subject of the former night's debate, but he was not saying a word about the resolution which had been proposed on that occasion. He happened to shake his head, just as the noble lord adverted to that resolution, when his lordship immediately turned round, and complimented him for having abandoned all that he had advanced on a former evening. But that shake of the head was not meant to imply any such change of opinion. What he formerly stated distinctly, and what he would now repeat, was, that the latter words in the resolution proposed by the hon. member for Bramber, were the most extraordinary that any minister, standing in the situation of the noble lord, ever agreed to: because that portion of the resolution declared, in clear terms, that the proposition brought down by the noble lord must lead to discussions, which, whatever might be their ultimate result, could not but be distressing to her majesty's feelings, disappointing to the hopes of parliament, derogatory from the dignity of the Crown, and injurious to the best interests of the empire. Now, if these words, "derogatory from the dignity of the Crown" meant any thing, they could only mean this, that, whatever charge was introduced, it must lead to discussions that must have the pernicious tendency thus described.—The noble lord now wished to make it appear, that the words meant nothing, or if any thing, that they only meant that the dignity of the Crown and the best interests of the empire were injured, because misconduct would be proved on one individual of the royal family, viz. the queen. The principle of this he denied. Nor was this the plain import of the words. Nor was this an after thought of his, for he had previously asked the hon. member for Bramber "Do you mean merely to allude to what may be adduced against her majesty, or do you fall in with what I call the threat, the mention of recrimination in the able speech of her majesty's law adviser?"—This information he (Mr. T.) had endeavoured to get, but he had not been successful. But he had then thought the words of the deepest importance, and he thought so still; and he was quite convinced, that if the noble lord had had more time to consider the resolution than he understood was afforded him, before it was moved, the good sense of the noble lord would have suggested to him some alteration. The words were as distinct as possible; the inquiry, it was said, be the result what it might, must produce consequences derogatory from the dignity of the Crown, and injurious to the best interests of the empire. Was it possible that words could be stronger? It was an expression which absolutely defied parliament to go on with any inquiry. It was impossible to state in language more clear, decided, and significant, that the measure proposed by the noble lord must end in discussions "derogatory from the Crown, and injurious to the best interests of the empire." He felt, at the same time, that those who voted for that resolution had determined, in their own minds, not to go on with the business. Ministers seemed to have taken care that the parties who voted for the resolution should not be brought to the test. The danger to the dignity of the House was to be avoided in this manner. The proceedings were to be commenced in another place; and if the ministers could dextrously get the lords to frame some measure, the House of Commons might save its consistency—for they might say they had done nothing.—This certainly was one of the most important questions that was ever brought before parliament, as it related to the dignity and propriety of their proceedings. His hon friend had ably stated the delicate situation in which the House was placed—a statement that was calculated to make the greater impression, backed as it was by that independence of character which belonged to him. He said, most properly, that the House ought to pause before they determined to adopt any measure. It was too much for the noble lord to come down, and without any notice, ask them, as a matter of course, to proceed in the manner proposed, and adjourn the debate for ten days, merely because the ministers had got themselves and the House and the Crown into a difficulty from which they did not see how to extricate themselves. By some this was considered very clever and ingenious. But it was, in fact, only making a haze, through which it was almost impossible for them to see their way—a practice frequently resorted to in debate, especially by the noble lord. After a lapse of three weeks, the noble lord told them on Saturday that the matter in debate must come to a conclusion this day. The noble lord was asked, whether he would give any information as to what he meant to do?—This he declined, and, he believed, for the best of all possible reasons, because he did not know himself what course he must pursue; he could not, at the moment, tell how he was to get off. Now the noble lord said, "Let the debate be adjourned to Friday se'nnight, because, on the preceding Thursday, I mean to make a motion quite different from any former proposition; but you must not be too sure that I will make it, because a motion may be submitted elsewhere on the subject, which may render mine unnecessary." So that, on these two contingencies, the resumption of the debate on the king's message commenced so long ago, was to depend. Would the House endure such treatment, without some explanation being offered on the part of the noble lord? The House, he felt, would degrade itself, if it did not plainly mark its sense of the course that had been pursued. Neither he nor his hon. friend knew well how to proceed, under all the circumstances of the case; but he conceived there ought to be an entry on the Journals of the House, explaining the reasons which caused such constant alterations and adjournments [Hear!].—He was extremely glad to find from the cheers of his hon. and learned friend (Mr. Wynn) that his hon. and learned friend, who was so perfectly conversant with parliamentary usage, was of the same opinion. The question was, would it be dignified and consistent with their former proceedings that they should wait for the Lords? The noble lord knew very well he had no motion for Thursday se'nnight. His only object was to wait and see what the Lords would do, and instead of saying this plainly, he went to beat about the bush, with an adjournment and a notice. Were they to be degraded in this manner? Were they to be compelled to keep at a certain distance from the proceedings in the House of Lords, in order to enable that House to adopt particular resolutions? He found from the newspapers, into which the business of the House of Lords, as well as of other places, found its way, that they were likely to illustrate a very homely proverb—"one good turn deserves another." For the three last weeks the Lords had been waiting for them; and he supposed they were to wait for the Lords during the three ensuing. There had been, however, a proposition of the most plain and intelligible nature, which he believed had been suggested by gentlemen who spoke on that side of the House, namely, that ministers should take the responsibility on themselves, and come down prepared with some tangible measure. But the noble lord said, "Do you think that ministers really want to get rid of their responsibility? I can assure you they do not." He must of course believe the statement, as he did every thing else asserted by the noble lord; but this he knew, that if ministers did not intend to shift off responsibility, their conduct was exceedingly like it. If they really wished to shift the responsibility from themselves, they could not take a better mode than that which they had adopted. The noble lord said, he brought down a message from the king, couched in the most temperate terms possible; and so in truth it was, for it meant nothing whatsoever. The noble lord also stated, that there were papers to support the charge against her majesty; and, observed the noble lord, "there are grounds of proceeding by impeachment, by divorce, and by some other mode; or the House of Commons may say, that which will be most satisfactory to me, that there is no ground for any charge." The House of Commons, it appeared, was called to decide on one of these four points, instead of his majesty's ministers; and he would ask, was not that taking the responsibility from them? Was that, he should be glad to know, the most dignified, manly, and honourable mode of proceeding? It was, on the contrary, the most indecorous towards parliament, and the most offensive towards her majesty, that could have been selected. The noble lord would not, on a former occasion, state whether the papers in the bag contained any serious evidence against her majesty; he seemed to entertain a doubt of the fact. But now his lordship declared that he could make out a clear charge against the queen. Why did he not do this a month ago, instead of adopting the course which was now forced upon him? He must have known then, if he were to be believed now, and did not mean to trifle and play with the House, what the contents of that bag were; or, if he did not know, he trifled and played with parliament, and was not now to be believed. The noble lord now came down with a statement that ministers would be able to support by evidence the charge against her majesty. Her majesty's legal advisers rejoiced in that statement, and her majesty was no less pleased with it. He did not wonder at that circumstance, if she were conscious of her innocence, which he must believe her to be; for he must consider every individual to be innocent until really found guilty. He was, however, sorry for what had already happened, because he felt with his hon. friend that, in the present tone and temper of the country, the public mind would not be satisfied with these variable proceedings. The noble lord, however, thought it was all plain sailing; that there would be no difficulties to encounter. But let the House consider what had occurred on this occasion; and having done so, he would defy the wit of man to devise a scheme by which all persons connected with the inquiry could be more completely embarrassed. The whole of the difficulties arose from the want of good sense in his majesty's ministers in the formation of a proper plan, or else from want of resolution to carry it into effect from their want of firmness in representing the state of the case to his majesty, and in the want of firmness in submitting it to the House. The noble lord stated that, for many months back, the whole object of ministers was not to bring this question forward. He knew no reason why such a resolution should be taken. If the queen of England was really guilty, their duty to the king, to the country, and to themselves, ought to have impelled them to investigate a subject of such importance. How came they by the evidence? When was it that the Milan commission was sent out with the knowledge of government? There must, he would tell the noble lord, have been previously a serious charge brought against the queen, or ministers would be liable to a heavy responsibility for sending out that commission to inquire into her conduct. When did that commission return home? If they looked to the period, it would be found that the whole of this evidence had been nearly 12 months in the possession of ministers, notwithstanding all they had asserted about their high sense of the dignity of the monarch. When the queen travelled as an outcast—when she had been treated with neglect and unkindness—what became of the dignity of the monarch then? If she deserved this treatment, why did not ministers bring forward the charge at that time? For this simple reason—because it did not suit their purpose. But the late king died; the princess of Wales became queen, and her situation became matter of discussion in that House on the question of her allowance — a circumstance which he was unfortunate enough, in some degree, to have caused, What was done on that occasion? An endeavour was made by a kind of side-wind to get rid of the question without observation. They were called on to vote a sum of money for a quarter, on account of an illustrious personage, without any name being entered on the Journals. The grant to her majesty was to be continued for one quarter, amongst all those that were voted to the royal family. Well, what course was taken by those who seemed to wish that this charge should not be gone into? He would defy any man, however ingenious to devise a measure better calculated to prevent an amicable arrangement from the first moment to the last. Ministers had all the obloquy of these proceedings on their own heads; for if there was a man under heaven more unwilling than another to wound or insult the feelings of a woman, that man was, he believed, the illustrious personage now on the throne. All the insults and affronts that had been experienced by her majesty came from ministers, and from ministers alone. Such acts were wholly contrary to the nature and disposition of his majesty. The queen wrote to know why her name was erased from the Liturgy, but she received no answer. Now the fair, and manly, and honourable course would have been to state, "there are heavy charges against your majesty, and till those are cleared up, your majesty's name cannot be inserted in the book of common prayer." Her majesty next asked for a yacht to convey her across the channel—she had no answer. She applied for a residence—she could not obtain even the civility of an answer from lord Liverpool; and when no attempts at conciliation had been made, they came to the House, and said "what a strange woman the queen is that she will come to England!" It was considered extraordinary, after such slights as these, that she should feel little disposition for conciliation. But the fact was, conciliation was not intended to be carried into effect until it was too late. At last, ministers, driven to a conciliatory course, came down to the House, and when the hon. member for Bramber made his motion, the noble lord, having hung back for about 10 minutes, said, "Oh, if the House think it proper, I will consent to adjourn the debate." After having thus consented to negociate, still the ministers made no proposal to the queen; and after the queen had expressed her willingness to hear any proposals, the earl of Liverpool referred her to a letter of the 15th April, which it happened that she had never before seen, though the substance had been submitted to her in another shape. He must be allowed to say that the manner in which that letter was drawn up was so very improper, that it would have been extraordinary, after it had been appealed to, that the negotiation should have ended amicably. Then came the manner of the negotiation. When he heard that commissioners were employed, whose labours were afterwards to be laid on the table, he felt great doubts whether any conciliation could be effected. It was said to the queen, "It is desired that you should remain abroad." Her answer was, "I have no objection, if my presence be offensive, to withdraw, and I will give you reasonable security that I will remain out of the country, provided that nothing is done to cast a stigma on my honour." This, however, would not answer for the earl of Liverpool. He must have a regular negotiation, worked up into the shape of what was called a protocol—a strange name for a document relating to a family quarrel; and the basis of that negotiation was, "that you, the queen of England, shall not reside here." It could scarcely be expected that a proposition so imperatively and peremptorily laid down could be acceded to. If there had been a sincere desire for conciliation, one confidential friend would have done more in an hour than the duke of Wellington, the earl of Liverpool, and my lord Castlereagh, with all their high-sounding diplomatic terms, could effect in an age. The queen was willing to retire upon one understanding, namely, that something should be done to enable her to return to and live on the continent, without any obvious imputation being cast on her character and conduct. Her learned counsel suggested the restoration of her name to the Liturgy on the one side, and on the other the sending of proper instructions to foreign ministers with respect to the treatment she was to receive; or, if neither of these points could be conceded, then, in order to leave as wide an opening for conciliation as possible, they proposed that an equivalent should be pointed out. So that, if the country were convulsed, and convulsed it would be if these differences were not settled, that deplorable state of things would arise from the inability or unwillingness of ministers to find out an equivalent to satisfy the scruples of a woman's honour. Why was this? Because, it seemed, the king could not retract. What a mockery was this! If they said, the Crown must not retract, then they might rest assured that the Crown would never retract. If such a principle as this were acted on, there would be an eternal war, since ministers frequently declared that they would sooner give up office than conclude a peace under particular circumstances. And how was war got rid of? By sending away the ministers who had declared it, and getting others in their situations—of which the termination of the American war, when lord North quitted office, was a striking example. All he meant to come to was this, that, with the present administration, conciliation was out of the question. It had been manfully stated by the noble lord opposite, "if the House think that the name of the queen should be restored to the Liturgy, some other ministers must make the alteration, for we will never do it." This was a plain declaration, and exemplified the principle which he had just laid down. Was there any person but his majesty's ministers that did not deplore this question of the Liturgy? The fact was, that the House could not please both the queen and the king's ministers. Would they, then, keep those ministers in office, or would they tranquillize the country? He used the word "tranquillize" advisedly, because he had heard from all quarters that there was so strong a feeling in her majesty's favour throughout the country, that there was no chance of getting a fair trial against her. So strong was that feeling, that, were the case in the King's-bench, it would afford a sufficient ground for changing the venue from England. All this was done by his majesty's ministers, who made the queen appear to be oppressed, insulted, and degraded. When that was the case, it became an honourable and a proud feeling in the people, with such impression on their minds, to say, without reference to the charges, "we will stand by this woman, because she is an ill-used woman." If her majesty had been received here as queen, till it was decided by law that she was not queen —if they had lodged her in a royal palace, even if her head was to have been struck off the next week, because till it was struck off it was the head of the queen of England, the tone and temper which he now lamented would never have existed, and the veneration for the laws, which was always felt in this country when it was not seen that they were perverted, would have remained unabated. But when the people saw an attempt made to whisper away her character—when they saw the noble lord coming down with his green bag, which irritated them still more, and heard him declaring that he would bring no direct charge, but that there was something very dreadful in that bag, they became quite certain that some foul play was intended against the queen. The feeling of the country arising from all these circumstances was strong, and might show itself in an inconvenient manner. As the proceeding was now going on, it would not probably be at an end this day six months. The hon. and learned gentleman had observed that the evidence against the queen would be on the table for months before the defence could be entered upon. He wished he could see any way of avoiding this inconvenience. Even if no evidence were offered, was it nothing that a bill against the queen of England should be for months on the table, ere she could rebut it? Was that a state in which England should be left, when discontent and distress were so prevalent, when 11,000 additional troops had been embodied, and when they were erecting new barracks throughout the country? On the back of all this, to make "confusion worse confounded," ministers came down with their green bag, to inflame the minds of men still more. And as her majesty made such solemn appeals for open inquiry, why those secret proceedings—why, such steps as, according to his hon. and learned friend were as unnecessary as they were unjust? If, indeed, her majesty used unqualified language—as it now appeared her majesty's language was considered—from whom, he would ask, had she learnt such language? Who had used language in the name of her majesty to this effect—"Her majesty would hear of nothing but a full acquittal; her majesty would be satisfied with nothing short of his majesty's favour? Her majesty would acquiesce in nothing but being recognized at his majesty's court?" With respect to her majesty's innocence, he should give no opinion, for he knew nothing upon the subject; but it was a principle he should act upon till the last day of his life, to believe every one innocent till guilt was proved. If the resolutions which had been carried by a majority in that House had not passed, there might still be room for negotiation; but the resolutions had passed, and they were now to expect scenes, disclosures, and investigations, from which he yet trusted they might be preserved. He might have learnt from his hon. and learned friend the merits of the question, if he had availed himself of his friendship, but he felt himself bound to refrain from inquiries of that nature. It was possible however still to avoid this evil, and to tranquillize the country. That could be done, however, only by a change of administration, and, so help him God, the question would never be adjusted, nor tranquillity restored to the country till then. He declared to God that he made this observation with no view to office; but he must say that there appeared to him to be an insuperable difficulty in any negotiation with the present ministers of the Crown. Her majesty had found that she had been beset by spies on the continent, and since she had returned to this country she had found that those spies had been countenanced by the government at home. Was it possible for her to deal with such men? It was one great evil which must be felt in this case, that any public proceeding instituted by the present administration could not be regarded but as an unfair and unjust proceeding. From one end of England to the other there was but one opinion—that in the proceedings proposed to be instituted (and in such proceedings a great part of the evidence must necessarily be from foreigners) the greatest part was trick and chicanery. Was a proceeding so tainted in its origin likely to be fair in its course or satisfactory in its result? Did the noble lord think that this proceeding could be conducted to a conviction? If it could not, could any thing be conceived more mischievous than to institute an inquiry which necessarily occasioned so much danger, and so much positive injury? If the queen could not be irrefragably convicted of guilt and criminality, ministers must stand convicted of the highest guilt and criminality. On their own responsibility at least this proceeding must now be brought before the House. As a member of parliament he pledged himself to keep his mind, according to the advice of the noble lord, as free as possible. But had they, as members of that House, a right to come into the proceeding, and give their opinion, when their own Journals contained the declaration that the inquiry was "derogatory from the dignity of the Crown, and injurious to the best interests of the empire?" He did say, that if he chose, he should feel himself justified in refraining altogether from going into such a question. He felt that he might very fairly have supported such a motion, as two hon. friends of his had suggested, that an entry should be made on their Journals on the subject. After so many adjournments had taken place, he could not help thinking that a farther adjournment till Friday se'nnight, in order to wait for the proceedings of the Lords, was a measure in the highest degree derogatory to the dignity of the House.

Mr. *R. Martin* differed from the conclusion to which the right hon. gentleman had arrived, when he declared that guilt would be proved against ministers, if they failed to establish the charges against the queen. If government were satisfied of her innocence, he thought they were still bound to proceed with the charges in justice to her majesty. The ministers in this case he regarded as merely acting the part of the clerk of the Crown—they presumed no guilt—they merely laid the charges before the House that they might be met and refuted, while they in effect said to the accused party, "God send you a good deliverance." That the charges must now be proceeded with was clear, from what had fallen from the right hon. gentleman himself, as he had demanded trial for her if she were guilty—acquittal if innocent. Under these circumstances the Crown must proceed to make out its case. He was not surprised at such a proposition as the amendment, from gentlemen favouring the cause of reform, as they were not bound, according to their principles, to value the dignity and consistency of the House.—When it was proposed to adjourn the debate for six months, for the purpose of getting rid of it altogether, it seemed to be forgotten that this was a message from the king, the consideration of which they had pledged themselves to go into immediately. He was never more astonished in his life (and he was a little hurt for the credit of the House on the occasion), at the little applause given to the affecting peroration of an hon. and learned gentleman, who had declared that he and his friends would never accept of office, if the present ministers went out of office on this question. He did hear from one gentleman who seemed nearly asleep, a faint and almost inarticulate expression of approbation. He now did not so much wonder at what he had then remarked, as it appeared that the other gentlemen on the opposite side of the House did not subscribe to the declaration to which he had alluded. He strongly disapproved of the proposition for adjourning the debate to that day six months, but would most cordially vote for the proposed adjournment to Friday se'nnight. It was evident, after what had passed, that the restoration of the queen's name to the Liturgy was not that which would satisfy the honour of her majesty. The late effort to settle the differences amicably having failed, he did not see that any new attempt of that sort should be made unless the House were to come to a vote like this—"Resolved—That an humble address be presented to his majesty, praying his gracious consent that her majesty the queen's name may be introduced into the Liturgy, and at the same time to assure his majesty, that such condescension on his part cannot, in the opinion of this House, be understood to indicate any change of his majesty's opinion as to the conduct of his royal consort."

Lord *Nugent* said, he agreed with the amendment of his hon. friend, because he did not think that the delay would, as an honourable member had thought, put a stop to the proceedings altogether. He objected to the delay proposed by the noble lord, because it was proposed upon grounds offensive to his majesty, highly offensive to the queen, and subversive of the principles of public justice.

He would ask the noble lord, was it decorous to bring forward his motion at a time when both town and country were in a state of inflammation, and in which it must remain until the noble lord entered upon the investigation? Whatever might be his opinion of the question, as propounded by the noble lord, he agreed with the noble lord, that it was highly necessary to impress upon the House and the country the necessity of keeping their minds unbiassed and their feelings free to enter upon the investigation. He would however put the sincerity of these declarations of his majesty's ministers to the test. He would tell the House, so far from permitting the country to exercise their own unbiassed opinions on the subject, that, for the last ten days, that particular part of the press which was more immediately under the control of government, had teemed with paragraphs calculated to excite prejudices subversive of public justice. He had, with abhorrence, read paragraphs of this description in "The Courier" and "The Morning Post." One of these, a wretch—a slave—had dared to call the wife of our sovereign—a descendant of the House of Brunswick—and the queen of England, an alien. "England" it was said, "ought not to be involved in misery for an alien and unworthy object." Was it to be borne that this writer should treat with contempt a proceeding of such high importance, as that founded upon the message sent down to parliament by the king, or that he should presume to stigmatize her majesty as an alien? In The Morning Post, a paper which was supposed to be under the influence of government there was this atrocious passage—"And as the queen alone stands in the way of arrangement, we say she ought to yield to the universal good, we care not whether as a martyr or a criminal." He would say nothing on this atrocious and diabolical paragraph, but would leave it to those feelings of abhorrence which the reading of it must excite in the House. He would however call upon the king's ministers, if indeed they were anxious that a dispassionate judgment should be come to on the merits of this most important case,—if indeed they were anxious that the trial should be conducted with fairness and impartiality.—He called upon the noble lord, if he wished to do his duty to his sovereign and the public—he called on the right hon. gentleman opposite, by the affection and regard which he had expressed for the queen—and finally, he again called on the whole of his majesty's ministers from their love of their country, and from their love of justice, to say whether or not they would let this libel go without being prosecuted by the attorney-general. If they ordered it to be prosecuted they would do their duty; if they did not, he would use his own discretion in determining whether or not he should take any further steps on the subject. He should vote for the amendment of his hon. friend, because he did not think that the adjournment of fourteen days would be sufficient to attain the ends of public justice.

Lord *Milton* said, he could not but look upon the intended investigation as one pregnant with the most positive and absolute danger to the country. He thought, notwithstanding what had been hitherto done, that some means might be yet devised to spare the House and the country the pain which must necessarily arise from the disclosure of the alleged charges against her majesty. He said this the more because he did not think the House could be called upon to decide on charges except those of a public nature. He had listened attentively to the speech of the noble lord, and had expected that he would lay before the House such reasons as would justify them in instituting a public inquiry; but instead of that, he had been disappointed in seeing that the noble lord had not stated any thing in his speech to induce the House to advise such an investigation. The noble lord had spoken of the conflict between parties, but the noble lord did not propose that the inquiry should be entered upon on the ground of injury to public morals likely to ensue from the conduct of her majesty. From the silence of the noble lord on these points, he should be induced to suppose that the noble lord had proposed the inquiry upon private grounds, and not upon grounds of a public nature. If such were the motives which had induced the noble lord to call upon the House for a secret committee, he would implore the House to pause before they plunged the country into a state of danger which (after the humane, forcible, and philanthropic manner in which it had been pressed upon the House by the hon. member for Bramber), it would be absurd in him to describe. He would ask the House, whether it was wise or prudent, upon private grounds, to enter into an examination of documents, which the House had, by a previous resolution, thought unfit for investigation? He would call upon the House again to interpose their authority, and try if some means, different from those previously tried, could not be resorted to, to reconcile the unhappy differences, which were so deeply deplored by the House and the country at large. It did not appear to him that in order to effect this it was necessary for the House to retrace those steps into which it had been said they had been unfortunately drawn. The Crown was not called upon to retract, but his majesty's ministers, the advisers of the Crown, were called upon to retract. Did ministers never retract? What was it not retracting, first to demand a secret committee, and afterwards to come down to the House, and say they had thought of a proceeding more agreeable to public justice? He disagreed from those who thought that, in the proposition made this night by the noble lord any thing more agreeable to public justice could be found. He would, without meaning any disrespect to the noble lord, say, that ministers had on the present occasion "two strings to their bow;" they had the House of Commons and the House of Lords, and they thought if one did not act according to their expectations, the other would. Three weeks ago the ministers wished the House of Commons to enter into an investigation and now they wished them to wait the decision of the House of Lords. What was that but retracting their former opinions? Sensible of the injury which the country would sustain by this inquiry, and feeling that the House could not enter into an examination of these documents, without exciting irritations which the House, valuing the tranquillity of the country, would never wish to excite, he did not know how they could act better than by adopting the amendment. Notwithstanding the manner in which this question had been treated by the hon. member for Galway, he hoped that many gentlemen more able than himself, would successfully impress upon ministers the necessity of agreeing to the amendment. He would say, that the House of Commons ought to exercise all their influence in putting a stop to an investigation, the result of which it was impossible for any man to tell. He called upon the House to recollect the calamitous scenes which had taken place thirty years ago, on the other side of the channel, and asked them, whether they did not, in the present state of the country, see the image of that spirit which had generated those calamities? He would conclude, by imploring the House to cast a veil over every thing likely to bring such a spirit into operation.

Mr. *Wynn* said, he had felt it his duty to urge upon the House the necessity of catching at any thing which would be likely to adjust the present unhappy differences; but, unfortunately, the proposals of that House had been rejected, and they were now called upon to enter upon an inquiry. Differing, as he did, on many occasions, from those gentlemen who had spoken in opposition to the proposition of the noble lord, he nevertheless felt that the House would be guilty of great impropriety in agreeing to this adjournment. Let the House see how the case stood. A message, demanding the most solemn attention of the House, had been brought from the Crown, and the House had pledged itself to take that message into its immediate consideration. On the first day, the noble lord suggested the possibility of entering into some arrangement, and the House agreed to an adjournment for that purpose; but now the noble lord came and said, that he wished to bring the question before the House in another shape, and therefore requested an adjournment for that purpose. If ministers had brought down a message from the Crown, desiring the House to suspend their operations on the former message, the course to be pursued by the House would be clear; but, in the present case, he confessed he did not see how the House could suspend their operations, and allow the noble lord to bring the question under their consideration, in the way he had mentioned. If the secret committee had been appointed, and had not found that there was sufficient ground for inquiry, they might have felt it their duty to move for the censure of parliament, or perhaps they might have felt it their duty to impeach his majesty's ministers. He could not suppose that any man in his senses would come down to the House and prefer such serious charges, except on evidence which appeared, *primâ facie* conclusive; but if on investigation it should be found that these accusations were unsupported by evidence, and that every possible means had not been taken by his majesty's ministers to satisfy themselves as to the truth of these charges, then he would say that ministers were answerable to parliament, in a criminal point of view, for their conduct. It might be said that any member might bring a charge which could not be afterwards supported by evidence. He knew that any member could do so, but he believed the House would not permit any person, upon a charge of such importance, and against so illustrious an individual, to lay papers upon their table without a *primâ facie* ground for accusation. The noble lord had said they might proceed in three ways; first, by a bill of Pains and Penalties; secondly, by Impeachment; and thirdly, by Divorce. He doubted the power of the House of Lords to proceed upon this investigation before the House of Commons had, in some way or other, disposed of the contents of the bag upon the table. The proceedings must, according to the spirit of the constitution, originate in the House of Commons. As to proceeding by a bill of Pains and Penalties in the Lords, he did not know a single instance in which it had been resorted to. He did not see why the House should consent to a motion so inconsistent with the first statement of the noble lord, who had said on the first adjournment, that the question was to be taken up where they had then left off. He did not see that the House could take into consideration the motion for a fortnight's adjournment, because he thought they would act in a manner unbecoming the dignity of the House, by consenting to the adjournment without any sufficient reason recorded upon their Journals for such a proceeding.

Mr. *Stuart Wortley* said, that as his noble colleague had clearly shown that the House was not reduced to the alternative of either withdrawing its support from the present advisers of the Crown or of proceeding immediately with the proposed inquiry, he did not feel it necessary to offer those remarks upon that subject which he certainly should have offered had it not been for the observations of his noble colleague. He would, however, assure his noble friend that though he supported the present administration on most occasions, from a conviction that the policy which they pursued was calculated to promote the best interests of the nation, he was still of opinion, that if the present unfortunate differences could be brought to a happy termination by their removal, they ought most unquestionably to be removed from their present situations. In saying so, he did not mean to undervalue either their talents or their services, but merely to express an opinion, that if these differences could be adjusted, it was of little importance whether the House had to give its support to men of this or that political denomination. On the present occasion, however, he should certainly give his vote in support of the proposition which had emanated from his honourable friends upon the floor, because he deemed it to be the best adapted for the emergency of the case. He deemed it to be so, because the honour of the nation, the dignity of the House, the tranquillity of the public, and the character of the two illustrious individuals implicated in this transaction, rendered it necessary to institute an immediate investigation. What the nature of that investigation should be, he would not pretend to determine; he would only say, that he would acquiesce in any proposal for investigation, which would procure an open trial for her majesty, and impartial justice for both parties. If her majesty thought it necessary to her defence that further time should be allowed her for the collection of witnesses, and made an appeal to that House, stating such necessity, he, for one, should feel inclined to give every possible consideration to such an appeal; but if the House did so too, they ought to take care not to grant any further delay than was absolutely necessary, lest it should be turned to an improper use, not indeed by her majesty or her legal advisers, but by those whom he would not designate more plainly.—His hon. friend, the member for Bramber, and himself, had been often taunted in the course of the evening with having put words into the address, stating that the inquiry now proposed would be "derogatory from the dignity of the Crown, and injurious to the best interests of the nation;" and it had even been argued from those expressions, that the House ought to be hostile to every species of inquiry. He could assure the House, that such a meaning as had been atributed to those words had never been in the contemplation either of his hon. friend, the member for Bramber, or of himself. They had indeed viewed the inquiry as full of danger, and therefore had wished, if possible, to get rid of it; and for that purpose they had proposed a mediation, from which they had anticipated the most beneficial results.

That mediation had been rejected, though the plan which it proposed was, in his opinion, as a gentleman and a man of honour, calculated to wipe away every stigma which had been cast upon the character of her majesty, and would have enabled her to travel abroad acknowledged and honoured as the queen of England. He did not blame her majesty for rejecting their mediation; by no means. She had full liberty to do so; on the contrary he admired, and no man of feeling could refrain from admiring, the magnanimity with which this illustrious female had acted, not only upon this, but upon all other occasions. Now, however, that their mediation had been rejected, he must be permitted to observe, that there was nothing in the words in which that offer of mediation had been couched which prevented him from voting for the inquiry proposed by his majesty's ministers. No one could doubt for a moment that an inquiry would be injurious to the best interests of the nation!—[Cries of Hear, from the Opposition, loudly re-echoed from the Ministerial benches.]—But, on the other hand, was there no evil in leaving these charges, as they were at present, uninvestigated? Indeed, would the country ever be satisfied if her majesty, who had been accused of such heinous offences, and against whom a green bag had been even exhibited, was dismissed without a complete declaration of her innocence? He thought not; and was therefore compelled, seeing as he did, that evil was likely to arise from whatever measures the House might adopt on this occasion, to acknowledge that it was reduced to a most awkward and distressing dilemma. He had now stated the reasons which induced him to give his vote as he should give it upon the present occasion. He should not give any opinion upon the technical objection which had been taken by the hon gentleman opposite to him on the floor (Mr. Wynn), but should conclude by saying, that to put off this inquiry for six months, or, in other words, for ever, was a proceeding which could never satisfy the House, the country, or either of the illustrious individuals who were parties to it.

Mr. *Hobhouse* said:—Mr. Speaker; I fear, Sir, that, as almost every topic has been exhausted and every argument used which may appear material to those who advocate the opinions which I venture to entertain on this momentous subject, it may be requisite for me to offer more apologies to the House than might have been called for if I had risen earlier in the debate. I cannot, however, as an independent member of parliament, reconcile to myself the giving a silent vote on a question so materially involving the interests and the honour of the nation; and, in the first place, I beg leave to say, that the honourable member for Essex only anticipated that amendment which, had he not brought it forward, I should have ventured to propose to the House; for I perfectly agree with him, that it becomes this House to take some opportunity of showing their signal disapprobation of the proceedings by which the king's ministers have obtruded the private differences of the royal family upon the public; and, without any adequate motive or excuse, have, in times of the greatest difficulty, added to the embarrassments of the state. I cannot but remark, Sir, that the effort now making by his majesty's ministers is not so much to continue their attack on the queen as to find some means of withdrawing from the animadversion and attention of the House the share which they have had and the part which they have played in this disgraceful transaction; and I think it due to my own character for candour and for fair and open dealing to state most distinctly, that, for my part, I see no other delinquents in the whole of this affair than themselves. With this conviction I should not do my duty to my constituents nor to myself, were I not to call upon the House to affix some stigma upon those who have advised the Crown to originate a measure which they have been forced to relinquish, and which not only this House but the whole country now unite to condemn. The proposition of the hon. member for Essex will, if carried, sufficiently mark the opinion of the House on the conduct of ministers: it will therefore have my hearty support.

I feel it the more necessary to rise on the present occasion, because I cannot say that I entirely agree with any gentleman who has spoken on this occasion; at least, not since the rejection of the resolutions voted the other evening. Sir, I have given all the consideration in my power to the papers laid before the House, and although the resolutions voted by so immense a majority told her majesty that the king's ministers had made large concessions in their conferences, I shall very roundly declare, that not only I see no large concessions in those conferences, but I see no concessions at all. I should be glad if any gentleman would point out to me what concessions of the slightest importance were offered—what advantages would have been gained by the queen, had she acceded to the wishes of the House upon the offers made by the king's ministers in their negotiations. In the first place, I shall remark, that the king's ministers, in spite of the expressed wish of this House, that the differences in the royal family should be accommodated, made no step towards that object as it was their duty to do. The queen had rejected the proposition made at St. Omer's; it was, therefore, the king's ministers who were to make another proposition, and not the queen who was to come forward the first. Yet, after a delay of two days, the queen found that she must come forward, or the ministers would remain for ever silent. Was this any thing like concession on the part of the king's ministers? And when the negotiations commenced, what did the king's ministers inform the queen was to be the basis, the *sine quâ non*, of all accommodation? Why, they proposed no other basis than that to be found in the former offer of the 15th of April, which, in fact, had been the only authorized offer made at St. Omer's. I would beg honourable gentlemen to look at that memorandum, and to ask themselves, whether it is possible that the queen could have consented to such a basis without an entire compromise of her character and a total abandonment of her cause. On that basis she was to engage solemnly to live all the days of her life an exile from the country of which she was, and must continue to be, the queen, until degraded for some proved offence. The gentlemen opposite have told us that there was no renunciation of her title as queen. I deny that position. There was a renunciation of the exercise of all, or any of her rights; and the sole condition on which she was to be allowed even food and raiment, and a roof above her head, was that she should preserve a perpetual silence as to her real rank and character; and should never set foot on those shores where that rank and character might and must be naturally called into play. Could the queen, then, have put her hand to such a condition without an acknowledgment of crime on her part? Such a condition was the most severe of all penalties short of imprisonment or death. Could she consent to sign her submission to such penalties without signing her avowal of some offence for which such penalties were inflicted? I repeat, that the king's ministers throughout the late negotiations no where appear to have retracted the basis of accommodation contained in the memorandum of the 15th of April. I repeat, that on that basis it was impossible for the queen to treat, without a resignation of all her rights, and of all her character, not only as a queen, but as a woman. She could, therefore, do nothing but what she has done, by refusing to listen to the advice of this House when it proposed so unworthy a compromise. Whatever the House may now think, or honourable gentlemen may now say, on this rejection, I am convinced that the public opinion will pronounce it to be of the same magnanimous character as the rejection of the propositions made at St. Omer's. Indeed, they were almost if not quite the same propositions. Honourable gentlemen opposite have very much changed their tone as to the rejection of the propositions at St. Omer's; and I doubt not they will change their tone on the rejection of the resolutions. Even the noble lord, who at first described the coming over of her majesty as "highly criminal" no longer uses that phrase; and his right hon. colleague has characterized that step as truly magnanimous, and a presumptive proof of innocence. In fact, nothing could be more magnanimous — the queen of England, after a long and incessant persecution, hastens homewards to assert her rights—when on the shores of the ocean attempts are made to arrest her progress. She is offered a bribe—she is insulted with a menace—she spurns the bribe—she despises the menace, and she hastens forward at once to negociate with her enemies in their very capital. No wonder that the people of England should applaud and admire such noble conduct; no wonder that the right hon. gentleman should be charmed with traits under which he recognized the object of his former, his continued, admiration. But if this conduct was such as reluctant enemies themselves must praise, I see not how the same tribute should be withheld from similar perseverance. I will contend again and again, that the propositions at the late conferences were not a whit more advantageous to the queen, than those offered at St. Omer's. I defy any one to show what her majesty would have gained by coming to this country, if obliged to leave it under the conditions imposed at the late conferences. To be sure, she would have gained one point, namely, that having arrived in a skiff, she would have departed in a frigate. Oh, yes, certainly—and I have no doubt that if she would but have consented to leave England, the whole fleet would have been at her command, and if fair words could raise favourable winds, the noble lord opposite would have pronounced a panegyrick upon the illustrious exile. With the exception of this idle honour, I assert that the queen would have gained no single point by braving the host of her adversaries, and asserting, as she has done, her own rights in her own country. And had she consented to depart, stript of her just and lofty pretensions, without a name, without a character, without the possibility of returning, what would have been her fate abroad? Who shall say that her life would have been safe? The machinations which have been directed against her fame and against her Crown, might take another aim, and be pointed at her very existence. The step between the deposition and the death of sovereigns has usually been short.

I shall never cease to assert, that the queen could not accept the proposal made to her by this House: as little shall I conceal my opinion that the ministers throughout the whole of this affair have acted unworthily. The right hon. gentleman (Mr. Canning) the other night deprecated directing the attention of the House to the conduct of ministers rather than to the investigation of the point in debate. But in spite of the modesty which would shun the public gaze, I must take leave to observe that the conduct of the king's ministers forms the prominent feature in the whole of this transaction, and more particularly comes under discussion on the present motion. The manner in which this accusation has been made condemns not the accused but the accuser. We have before heard of green bags and secret committees. We have before been initiated in this sort of proceeding. Formerly, indeed, it was some of the humblest of our fellow subjects who were to be the victims of such extraordinary prosecutions. Now, the first subject of the realm is to be treated with the same disregard to all the principles of British jurisprudence. The ministers were formerly obliged to come down to parliament for an indemnity in consequence of acting on green bag witnesses—let them look to it, lest they should be called to the bar of the nation to account for their conduct upon this occasion.

If, Sir, we are to substitute these strange parliamentary proceedings for the common law of the land, I would ask, who will be safe? Is there any man so powerful as not to dread the establishment of such a precedent? Will not this mode of procedure leave the property, the liberty, and the life of every individual at the mercy of the government of the day? I ask, if the king himself will be safe? Under the present borough domination it is very possible that he himself may become obnoxious to those who rule this House, and if the queen's accusers are to present sealed bags to secret committees, what will prevent a similar procedure against the present or a future king? Sir, we are told that this bag may not contain charges of actual crime, but of moral delinquencies, and improprieties of manner. The lives of sovereigns should not be scrutinized so nearly. If they are, I know not where the example may stop. Suppose that at some future period this country should be governed by a prince, not an absolute tyrant nor a subverter of the laws of the land, but steeped to the lips in sloth and voluptuousness, neglectful of his duty, of his character, of his honour, of the interests of the people and of the dignity of the Crown. It would be as easy to institute a sort of Milan commission in the palace at London, as in a villa in Lombardy. It would be as easy to beset with spies the table of a king as the toilette of a queen. With such a precedent as that before us, another age may, then, hear of a king deposed by a parliamentary committee for frivolous tastes, unkingly manners, and a general incapacity for the duties of royalty. I entreat the House to consider whether it does not become them to record their indignation of an attempt to introduce into this country mock forms of justice totally subversive of the principles of every constitution which is pretended to be free. We have, Sir, this green bag still upon the table. I know not that the noble lord proposed any scheme by which it may be removed. I know not that any gentleman has yet proposed such a scheme; and yet there it ought not to remain to the disgrace of this House, and for the scorn and laughter of the whole country.

Indeed I must observe, that the propositions of the member for Bramber (Mr. Wilberforce), whatever they did for the queen or for the House, did little for the ministers, and I think the ministers might fairly have said to that gentleman as the earl of Leicester in the "Critic" says to Mr. Puff, "But, sir, you have not settled how we are to get off here," to which the learned member might perhaps answer with the dramatist, "You could not go off kneeling, could you? Egad, it would have a fine effect if you could—exeunt praying." Sir; the ministers are upon their knees like the statesmen in the farce, and I see not how they are to come off except it be upon their knees. I trust, however, that this House will not be without one member who shall propose the removal of this filthy bag. Perhaps, indeed, that desirable event may be implied by agreeing to the amendment proposed by the hon. member for Essex; if so, I shall only be the more satisfied at having given my humble support to his proposition.

Mr. *Denman* said, that the only object of the queen was, to obtain an open public inquiry; that that was what her majesty distinctly applied for in her first communication to that House; and that that also was what she looked for in those terms of her answer to the resolutions of the House, where she spoke of an appeal to the public justice of the country. With respect to the motions before the House, as he and his colleague, in their address to the other House of Parliament that day had offered to submit the case of the queen to any mode of public inquiry which parliament might think proper to institute, he and his colleague felt it most becoming not to vote upon the present occasion. They were not, he begged it to be understood, at all adverse to inquiry; their only objection being to any secret investigation or private tribunal. But he could not help observing the new and singular grounds which were this night urged on the other side for prosecuting the proposed inquiry. The inquiry was, it seemed, now to be persisted in, not because her majesty had rejected the propositions made to her at St. Omer's, not because she had ventured to come to this country, not because the correspondence which had taken place respecting her in France had been published in the several journals, a proceeding, by the way, of which no one had any right to complain but his learned friend. It was not, he repeated, upon any of these grounds that the queen was now to be prosecuted. It was not in consequence of any offence which her majesty was accused of having given to any one of the three estates of the realm. But in deference truly to the four gentlemen appointed to communicate the resolutions of that House to her majesty. In order to satisfy those gentlemen, it appeared that an inquiry was to be pursued, which the majority of that House, including those gentlemen themselves, had distinctly denounced to be derogatory from the dignity of the Crown, and injurious to the best interests of the empire. But really he was at a loss to imagine what outraged feeling, what wounded pride, what offended dignity could result from the rejected mediation of this fourth estate, as it seemed, in the realm, that should urge that House to call for inquiry, after so positively and so recently deciding against its propriety and policy. While, however, he made these observations, he wished it to be distinctly understood, that as the advocate of the queen, he had no apprehension whatever of the opening of the green-bag, but from an impression of the consequences to which it would lead, and from a conviction of the malignant falsehoods which it contained according to general rumour; for rumour was busy in propagating about the country the contents of this vile composition. If her majesty's legal advisers asked for delay, they had only asked for it in order that no unfair impression might be made upon the minds of any honourable members by *ex-parte* statements; for what explanation could be satisfactory after the poison which that bag contained had been circulated for six months in the minds of six-and-thirty individuals, to whose inspection it would be submitted? On their report a bill would be introduced to parliament, to which, if passed, no doubt could be entertained that the royal assent would be given.

Mr. *Western* stated, that if his motion was acceded to, it was his intention to follow it up with addresses to the king, and to her majesty also, the purpose of which would be, to promote a final and amicable adjustment upon this subject.

Mr. *Wilberforce* expressed his regret that the advice of the House of Commons had been rejected, because he was convinced that if it had been followed, her majesty's honour would have stood assured in the page of history. Before that vote was tendered, much had been already conceded to the queen in the course of this transaction. In the course of the negotiation it appeared that only two points remained unadjusted, the acknowledgment of the queen at foreign courts and the restoration of her name to the Liturgy. The first was removed by the offer to nominate her majesty as queen to the court at which she might wish to reside; and then all that impeded the final arrangement was the restoration of her name to the Liturgy. Whether the name ought to have been taken out was not to the point; for the basis of the negotiation was, that the one side was not to retract, nor the other to admit any thing. So far did the legal advisers of the queen adopt this principle, that they offered to receive an equivalent for the concession demanded, and he would ask if the House of Commons had fallen so low that its assurance of the construction put upon her majesty's yielding this matter of feeling was not a sufficient ground to satisfy all she could have desired? It was on that ground he had voted for the proceeding, and he was sorry their hopes had been dashed to the ground. As for the course now before them he retained every opinion he had ever expressed as to the dreadful consequences which must result if this inquiry were prosecuted; it would be injurious to the morals of the country, and derogatory to the honour of the Crown. But had they no alternative? Could they act so inconsistently with common sense, as, because their mediation was rejected to turn completely round and put an end at once to all investigation? He had never thought a secret committee an advisable mode; but were they, on that account, to treat the king's message with the disrespect of a six months adjournment.—The question was involved in difficulty, and the House and the country would be deeply indebted to whoever could devise a method of avoiding the threatened disclosures. But, if the case must be inquired into, that would be better done in the lords, which was a court of justice, than in that House. Yet even there it would be long, painful, and disgusting; and what in his mind aggravated the evil was, that parliament was not altogether clear in the affair. We married our kings and queens contrary to the law of God and of nature. He felt this deeply, and this was the evil, the fruits of which he was now anxious to avoid. He could not but think that ministers were hardly used in being reproached for giving way to the wish for mediation so universally expressed. In thus yielding, they had not only the sense of the House, but of the country with them; and he must say that if gentlemen on the other side had favoured the course of conciliation with their votes, so that unanimity might have been stamped on the recommendation, it might have had a very desirable and happy effect, where they now lamented a disappointment. All that he should add was, that justice must be done; and as far as was consistent with that, the public morals must be guarded. With respect to the queen, he was strongly impressed with a feeling for her situation as connected with her early life; and what he had wished done he considered to be fully as desirable for her sake as for that of any other person whatever.

Mr. *Scarlett* considered the question now before the House as one of the first importance to the nation. He presumed that the hon. gentleman who had preceded him thought so too; but he certainly was at a loss to know, whether his hon. friend intended to support or oppose the amendment. He imagined that it must be his intention to support it; for, deprecating as his hon. friend had justly done, a secret inquiry, as prejudicial to the national character and honour, he took it for granted that his hon. friend would vote for a motion which would probably preclude any inquiry at all. The real question, in fact, was, whether a secret committee was to be instituted, or whether it was to be abandoned altogether? As he could not concur in the idea of a secret committee at any stage of the proceedings, he thought it his duty to give his support to any motion which tended to render it unnecessary. Now, the amendment of his hon. friend went directly to do away with the green bag and to prevent any exposure of its contents. He called upon the House to recollect the feeling which they had expressed when the first mention of these proceedings had been made to them. Such being, then their opinion, he asked what had since occurred to change it? An adjournment had been agreed to to give an opportunity for a reconciliation, which reconciliation had unfortunately not taken place. Though he regretted its failure, he certainly thought that the House had acted ungenerously in requiring the queen to make concessions, which she could not make without detracting from her own honour. It was in his opinion an unmanly, ungenerous, and harsh proceeding for an English House of Commons to compel the weaker party alone to make concessions, and to say, "in case of your refusal we will come against you with all our weight." For his part, he had supposed that when the House agreed to an adjournment, they thereby intended to read a severe lesson to his majesty's ministers for having endeavoured to compel the queen to do that which she did not consider compatible with her honour. He would not admit that the consistency of ministers on this question at all involved the dignity of the Crown. In refusing to agree to the proposition of the House, he thought the queen had acted perfectly right; and it was most ungenerous on the part of ministers, as soon as that refusal had been notified, instantly to turn round and assert that this measure altered the state of the question. It did not alter the state of the question; or if it did, he contended that it was altered in favour of the queen. Either ministers had a good case against the queen, or they had not a good case, or they had that which they considered a doubtful case. If they had such a case as justified the king in making the proposal which had been made to parliament, then it was their duty to have come down to the House with some specific measure. The proper advisers of the king were the members of the privy council; and could it be endured that ministers should desire his majesty to place in the hands of 21 members of that House, the guidance of his conscience and of his honour? Upon what principle was it asked that a committee of that House should take upon itself the responsibility of confidentially advising the Crown upon a question which might perhaps involve the country in all the horrors of a revolution? He did most sincerely hope that there was no member in that House who would place himself in so perilous a situation. If, on the other hand, ministers had no case to offer, then the baseness of their conduct towards the queen could only be equalled by their treachery to the interests of the king. If, take the third view, they had a doubtful case, how had they dared to come down to the House upon such a case? How did they dare, when the happiness of the king, the honour of the queen, and the safety of the country were at stake—how did they dare, under such circumstances, to ask advice from 21 unknown members of that House? Were men who could so conduct themselves fit to sit as ministers of a great nation? Were these times in which to moot such a question unless from absolute necessity? Were these times to set the people of England considering what degree of immorality would be sufficient to dethrone a queen? The subject before the House was a subject of delicacy. Ministers might have been placed in circumstances of difficulty; but he did contend, that if the king had refused to take that advice which ministers had thought it their duty to give, it was the duty of those ministers, under such circumstances, to resign. No set of men would have undertaken the task which they had thought it prudent to decline. Individually, there were many persons in his majesty's council for whom he had the highest respect, and even attachment; but if any gentleman had concurred in a measure which he disapproved, to avoid the necessity of resigning his place, that gentleman, he would say, whoever he might be, had acted ungenerously towards his sovereign, and unconstitutionally by his country. He repeated, that ministers must have against the queen either a good case, a bad case, or a doubtful case. If a good case, they wanted no advice; if a bad case, they had betrayed the king and dishonoured the queen; if doubtful, it was presumption to come and ask the House of Commons whether they had a case or not. But, in any view, the conduct of ministers had been reprehensible. People firmly believed that the question was not a question between the king and the queen, but between the queen and the ministers. In no stage of the proceedings would he ever vote for the appointment of the select committee. The matter belonged to ministers, and let ministers take charge of it. Let them have the whole praise, or the whole blame. He did trust that the House would not interfere; that they would not assist ministers in accomplishing the disgrace of the king, and the ruin of the nation. Let them be left to do that work themselves. He did not wish to abridge the functions of the House of Commons; but he would tell the members of that House, that they were the representatives of the people; and that by persisting in opposition to the feeling of the people, they lowered and lost their own dignity. He would say that the House of Commons had no right to constitute itself the executive government of the country; and that, by accepting functions which did not belong to them, they forfeited their popularity and their estimation. But for the last ten years, not a measure of importance had been proposed, without ministers coming down to that assembly, and saying—"do take this matter off our hands." It had been said that the arrival of the queen in England had forced ministers to the course which they had taken. Would any gentleman lay his hand upon his heart and say that her majesty's arrival had furnished any cause which did not before exist? Then, how had these proceedings been suddenly forced upon ministers? Either they ought to have taken them up twelve months sooner, or they ought to have avoided them altogether. This was no party question. It was a question which involved the ruin or the safety of England [Cheers]. He was wrong; there were those in the House who did make it a party question; but it was those who were then cheering him, and who, by that cheering, manifested their own internal sentiments. Those gentlemen did make it a party question—a question whether they should support the minister at the hazard of raising a revolution in the country [Loud cheers from the opposition.] But in no such light was the question viewed by him, or by the gentlemen who sat upon the benches near him; and those on the other side were miserably mistaken, if they thought that their places were objects of envy to any of the persons by whom he was surrounded. The hon. and learned gentleman concluded by declaring, that he thought it most unfit that a committee should be appointed to advise his majesty's ministers; that all hope of the appointment of such a committee could not too soon be cut off; and that he should assuredly support the amendment.

Mr. *W. Smith* rose amidst general cries of question! As soon as the noise had in some degree subsided, the hon. member expressed his concurrence in the sentiment laid down by his hon. and learned friend, that this question was not a party question. He had voted for the address proposed by his hon. friend last week, because he was willing to adopt any measure that had a probability of averting the consequences of a secret inquiry. Those hopes had unfortunately been disappointed; but he thought that no one could charge him with inconsistency in voting, on the present occasion, for an adjournment of six months. He was willing to seize any means to avert the catastrophe which he most dreaded—the opening of the green bag. He should, therefore, cordially concur in the amendment of his hon. friend.

Mr. *Marryat* began by observing, that if revolutions were generally preceded by infatuated counsels, so were they also generally preceded by inflammatory harangues; and this was the only observation he thought it necessary to make on the speech of the hon. and learned gentleman who had spoken last but one. The attempt of the House to mediate, had terminated like most attempts to interfere between man and wife, in total failure. He expected this result from the language of the Address, which did not appear to him to be framed with that candour and consistency which ought ever to characterise the proceedings of the House of Commons. It set out with stating, that "the House were fully sensible of the objections which the queen might justly feel to taking upon herself the relinquishment of any points in which she might consider her honour and dignity involved;" and yet afterwards called upon her to relinquish all those points, to wave the recognition of her title at foreign courts, to remain with her name expunged from the Liturgy, and, in this degraded state, to banish herself for life. We first express ourselves as if we considered her innocent, and then desire her to act as if she were guilty! Could we expect her to believe our assurance, that "her so doing would by no means be understood to indicate any wish to shrink from inquiry, but only be deemed to afford a new proof of her desire to submit her own wishes to the authority of parliament?" This language appeared to him as a sort of pious fraud; and he considered the Address as entitling the hon. member for Bramber, to much more credit for the goodness of his intentions than the soundness of his judgment. He had declared that his object was, to word it so as to conciliate all parties; and probably had permitted one side to alter one sentence and the other to alter another, till the whole became a heterogeneous and contradictory composition. For his own part, neither approving of the Address nor of the amendment, he had left the House before the division, without voting for either. The rejection of the Address by the queen, had brought the House back to the consideration of the king's message, with mingled feelings of disappointment and mortification.—A new embarrassment arose out of the language of this Address; for it declared that "the ultimate result of the investigation, could not but be derogatory from the dignity of the Crown, and injurious to the best interests of the empire." Admitting this to be true, it was still a question of comparison; the House had only a choice of difficulties, and if it should appear, as he believed was the case, that not proceeding in the investigation would be still more derogatory from the dignity of the Crown, and still more injurious to the best interests of the empire, then they were still bound to go on. The hon. member for Bramber had talked of the "fatal effects" of the inquiry; an expression which he repeatedly used, and illustrated by various gesticulations, by turning up his eyes, making corresponding movements with the palms of his hands, and by significant shrugs of his shoulders; but never once attempted to prove in argument. The hon. member for York did indeed state, that if the green-bag were opened, and its contents published, none of our wives and daughters could venture to read a newspaper without contamination, but this he must beg leave to doubt, as it rested only upon assertion. On the contrary, he believed that much more was at present reported, than ever would be confirmed by the contents of the green-bag. Rumour was busy, with her hundred tongues; and, as usual, both invented and exaggerated; and all the slanderous tales now in circulation, would be put down, when the real truth was made known. Delicacy, at all events, was but a minor virtue; and must not supersede the cardinal virtues of justice and truth. Justice could not be done between the parties till the truth was ascertained; and, therefore, investigation appeared to him absolutely necessary. It was almost impossible to keep the mind free from bias, on a subject which was the theme of constant conversation. We were told that the queen ought to be considered innocent, till she was proved guilty; and this was certainly the privilege of every British subject: but, on the other hand, if it were admitted to the full extent, would lead to the conclusion that the king had brought charges against the queen for which there was no foundation; and this would be doing him the same injustice as was protested against on the part of the queen. The agitation which was kept up in the public mind, while this affair was pending, was a sufficient reason for bringing it to a termination. Before he sat down, he wished to observe, that he was as averse as any gentleman who heard him, to the appointment of a secret committee; but the mode of proceeding was a distinct question; the subject now before the House was whether any proceedings should be held upon the king's message, or whether the House should refuse to act upon it altogether. He would have preferred taking it into immediate consideration, for he thought that any farther delay in proceeding upon it would be highly disrespectful to his majesty; but of two evils he would choose the least, and therefore vote for the original motion in preference to the amendment.

Mr. *Brougham*, in a brief explanation, said, that all the delay wanted on the part of the queen was, a sufficient time to produce evidence to disprove the accusations against her. The import of the words in the negotiation which settled the basis on the ground that the one side should retract, and the other side admit nothing, had, he conceived, been mistaken. It had been assumed that they meant that there should be no concession on either side; but if that had been their meaning, it would have been quite ridiculous for the commissioners to have met five times afterwards to endeavour to settle terms. All that they implied was, that neither of the parties should concede any thing inconsistent with their honour, but that the queen might concede, or the king, or ministers retract or concede any other points on which they might otherwise be disposed to insist.

The question being put, "That the words 'Friday seven-night' stand part of the question," the House divided: Ayes, 195; Noes, 100. The main question was then put and carried.

List of the Minority.

Aubrey, sir John	Barrett, J.
Althorp, viscount	Bright, Henry
Abercromby, hon. J.	Bernal, R.
Allan, J. H.	Byng, George

Benett, J.
Bennet, hon. H. G.
Barham, J. F.
Boughey, sir J. F.
Benyon, Benj.
Beaumont, T. P.
Bury, lord
Calcraft, J.
Calcraft, J. jun.
Creevey, Thos.
Crespigny, sir W. De
Cockburn, Ridley
Calvert, C.
Cavendish, lord G.
Coke, T. W. jun.
Carter, John
Clifton, viscount
Chamberlayne, W.
Davies, J. H.
Ebrington, viscount
Ellice, E.
Folkestone, visc.
Fergusson, sir R.
Gurney, R. H.
Glenarchy, lord
Guise, sir W.
Grenfell, Pascoe
Graham, Sandford
Graham, J. R. G.
Gordon, Robt.
Gaskell, B.
Griffiths, J. W.
Hurst, Robt.
Hume, J.
Haldimand, W.
Hill, lord A.
Harbord, hon. E.
Harvey, D. W.
Heron, sir R.
Honywood, W. P.
Hobhouse, J. C.
Jervoise, G. P.
Kennedy, T. F.
Lemon, sir W.
Langston, J. H.
Lloyd, sir W.
Lushington, Steph.
Lennard, J. B.
Martin, J.
Mackintosh, sir J.
Macdonald, J.
Moore, Abraham
Moore, Peter
Milton, lord
Monck, J. B.
Mostyn, sir T.
Marjoribanks, E.
Newport, rt. hon. sir J.
Noel, sir G.
Ossulston, lord
O'Callaghan, T.
Pares, Thos.
Pryse, P.
Pryce, R.
Pelham, hon. C. A.
Philips, George
Philips, Geo. jun.
Palmer, C. F.
Power, Rich.
Parnell, sir H.
Peirse, Henry
Proby, hon. G. L.
Ramsay, sir A.
Rumbold, C. E.
Robarts, A. W.
Robarts, G.
Ricardo, D.
Russell, lord W.
Russell, lord John
Smith, Wm.
Sefton, earl
Scudamore, R.
Scarlett, James
Sykes, Dan.
Tavistock, marq.
Tynte, Chas.
Tierney, rt. hon. G.
Taylor, M. A.
Townshend, lord C.
Wilson, sir Robt.
Wood, alderman
Webbe, Ed.
Whitbread, S. C.
Wyvill, G.

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Western, C. C.
Nugent, lord

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